

CITY OF FORT PIERCE

CITY COMMISSION AGENDA

Regular Meeting - Monday, April 7, 2014 - 6:30 p.m.

City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **OPENING PRAYER - Reverend Eddie Oliver, Neighborhood Bible Way Church**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of March 17, 2014 meeting.
6. **PROCLAMATIONS**
 - a. Proclamation in honor of Sylvie Kramer Marceau as a Public Health Hero; being received by Marc Malloy.
 - b. Proclamation declaring April, 2014, as Guardian ad Litem Month; being received by Vern Melvin, Circuit Director of the 19th Circuit Guardian ad Litem Program, Gail Griffith, Volunteer Recruiter for the 19th Circuit Guardian ad Litem Program and James Pawlak, President of Voices for Children of Okeechobee and the Treasure Coast.
 - c. Proclamation declaring the month of April, 2014, as Water Conversation Month; being received by William Thiess, Director of Utilities, Fort Pierce Utilities Authority.
 - d. Proclamation declaring the month of April, 2014, as Child Abuse Prevention Month; being received by Courtney Gurtowski, CASTLE Community Relations.
7. **LETTERS TO COMMISSION**
 - a. Letter from Ken Milner, Commodore - Fort Pierce Yacht Club, commending the work and cooperation in appreciation for Michelle Kubitschek and Steve Strong.

8. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject which is not under Public Hearings on the Agenda may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

ANY PERSON SEEKING TO APPEAL ANY DECISION BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING IS ADVISED THAT A RECORD OF PROCEEDINGS IS REQUIRED IN ANY SUCH APPEAL AND THAT SUCH PERSON MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

9. **CONSENT AGENDA**

- a. Waive interest and penalties for Lot Clearing Lien in the amount of \$372.27 against 503 N. 14th Street, owned by P. Serge Camille, contingent upon payment of \$256.77 in 60 days.
- b. Waive interest, penalties and administrative fees for Lot Clearing Lien in the amount of \$1,795.16 against 503 N. 14th Street, owned by P. Serge Camille, contingent upon payment of \$533.77 in 60 days.
- c. Waive interest and penalties for Demolition Lien in the amount of \$5,256.48 against 503 N. 14th Street, owned by P. Serge Camille, contingent upon payment of \$2,820.00 in 60 days.
- d. Waive interest, penalties and administrative fees for Lot Clearing & Demolition Liens in the amount of \$12,772.40 against 2604 Avenue E, owned by P. Serge Camille, contingent upon payment of \$6,114.85 in 60 days.
- e. Waive interest, penalties and administrative fees for Lot Clearing Lien in the amount of \$2,785.75 against 507 N. 14th Street, owned by P. Serge Camille, contingent upon payment of \$1,027.23 in 60 days.
- f. Waive interest and penalties for Demolition Lien in the amount of \$7,883.40 against 507 N. 14th Street, owned by P. Serge Camille, contingent upon payment of \$4,100.00 in 60 days.
- g. Waive Code Enforcement Lien in the amount of \$1,000.00 against 2604 Avenue E, owned by P. Serge Camille.
- h. Waive Code Enforcement Lien in the amount of \$8,800.00 against 118 N. 11th Street, owned by Michele Mayhew.

- i. Request to reduce Code Enforcement Lien in the amount of \$60,840.00 against 5496 Altman Road, owned by Mariner Cove Fort Pierce LTD, to \$2,300.00, contingent upon payment within 60 days.
- j. Waive interest, penalties, and administrative fees for Lot Clearing Lien in the amount of \$251.50 against 1113 Avenue F, owned by Aaron Richardson, Jr., contingent upon payment of \$150.00 within 60 days.
- k. Waive interest, penalties, and a percentage of administrative fees for Lot Clearing Lien in the amount of \$336.28 against N. 12th Street, owned by Marie M. Joseph, contingent upon payment of \$175.00 within 60 days.
- l. Deny request for reduction of Code Enforcement Lien in the amount of \$109,540.00 against 2729 S US Highway 1, owned by Mr. Juan E. Garcia.
- m. Request approval to piggyback to Collier County "Storm Drain Cleaning, Documenting & Repairs" Contract No. ITB 10-5507 with Shenandoah General Construction Company, and award of contract for the emergency stormwater lining of 980 LF of 60" RCP storm drain to Shenandoah in the amount of \$315,194.00.
- n. Request approval of Kimley-Horn and Associates Specific Authorization No. 2 for compensation of additional engineering services in the amount of \$31,172.00 for the Heathcote Botanical Park and Gardens Stormwater Project - Phase I Improvements AKA Indian Hills Recreation Area Stormwater Improvement Project.
- o. Acceptance of proposal from Yamaha Motor Corp. for 60 month extension of golf car lease at the current cost of \$40,572.00 per year for 73 new Yamaha standard gasoline and 2 electric golf cars.
- p. Accept Teamsters Local 769 Settlement Agreement and Memorandum of Understanding.

10. **PUBLIC HEARINGS**

- a. Ordinance No. 14-007 - A Zoning Atlas Amendment request for 4100 Glades Cut-Off Road. **SECOND READING**
- b. Ordinance No. 14-010 - Amending the Future Land Use Map for property located at 1210 S 25th Street from OP to NC. **SECOND READING**
- c. Ordinance No. 14-011 - Rezoning Properties Generally Located at 1210 S 25th Street from C-1, Office Commercial to C-2, Neighborhood Commercial. **SECOND READING**

- d. Ordinance No. 14-012 - Budget Amendment of the 2012-13 Budget. FIRST READING

11. **MISCELLANEOUS REPORTS & REQUESTS**

- a. Presentation on Fort Pierce Authentic Tours (FPAT) Program

12. **CITY COMMISSION**

- a. Approval of the FPUA's FY 2013 Final Budget Amendment.
- b. Presentation of the FPUA Comprehensive Annual Financial Report (CAFR) for FY2013.
- c. Discussion requested by Commissioner Sessions regarding the cost effectiveness of an in-house street paving program.
- d. Submittal of Applications for Appointment/Re-Appointment to the Civil Service Appeals Board
- e. Submittal of Applications for Appointment and/or Reappointment to the Sunrise Theatre Advisory Board

13. **COMMENTS FROM THE CITY MANAGER**

- a. Department Activity Report

14. **COMMENTS FROM THE COMMISSION**

15. **ADJOURNMENT**

City Commission Regular Meeting

Agenda Item # 5. a.

Meeting Date: 04/07/2014

Re: Minutes 03.18.2014

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approval of Minutes of March 17, 2014 meeting.

Attachments

Minutes

Becht 8B

DRAFT

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:30 P.M. ON MONDAY, MARCH 17, 2014.

1. CALL TO ORDER

2. OPENING PRAYER - Pastor Alice Lodomirak of Pearl Ministries offered the opening prayer.

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Mayor Linda Hudson; Commissioner Rufus Alexander; Commissioner Edward Becht; Commissioner Thomas Perona; Commissioner Reginald Sessions

Staff Present: City Clerk Linda Cox
City Manager Robert Bradshaw
City Attorney Robert Schwerer

5. APPROVAL OF MINUTES

a. Approval of Minutes from meeting on 3/3/2014

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve the Minutes of the Regular Meeting on March 3, 2014.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

6. PROCLAMATIONS

- a. Mayor Hudson issued a Proclamation declaring the month of April 2014 as Fire Fighter Appreciation Month for their effort on behalf of the Muscular Dystrophy Association. It was received by Alexia Birth, St. Lucie County Fire Fighter, and Stephanie Glavin, Executive Director of the South Florida Chapter of the Muscular Dystrophy Association.
- b. Mayor Hudson issued a Proclamation designating the week of March 22 - 29, 2014 as Fort Pierce Jazz Festival Week. It was received by Don Bestor, President of the Fort Pierce Jazz & Blues Society.
- c. Mayor Hudson issued a Proclamation declaring the month of April 2014 as City of Fort Pierce Volunteer Month. It was received by Gerald Roden, Commissioner, Volunteer Florida, and Barbara Smith, AmeriCorps Program Assistant.
- d. Mayor Hudson issued a Proclamation declaring April 5, 2014, as Elder Care Day in the City of Fort Pierce. It was received by Stephanie Morgan, Chief Volunteer Officer of the Boys and Girls Club of St. Lucie County.

7. **LETTERS TO COMMISSION** - the following letter will be kept on file in the City Clerk's Office.
- a. Letter of Appreciation from Ms. Donna Friedman to Executive Director, John Wilkes, Staff, Board of Directors and Volunteers of the Sunrise Theatre for their continuing efforts to grow an affordable cultural asset in downtown that benefits all of Fort Pierce and the surrounding communities.

8. **COMMENTS FROM THE PUBLIC**

Mr. Homer Boston - 2205 Avenue M
Mr. John Debus - 5244 Compass Cove

9. **CONSENT AGENDA**

- a. Accept Florida Humanities Council Grant Award in the amount of \$15,000.00 to Complete Highwaymen Heritage Trail project.
- b. Approve request for Site Plan and Conditional Use extension of two (2) years from Grace Way Village, 1780 Hartman Road.
- c. Approval of Dunkelberger Engineering proposal in the amount of \$24,990.00 to provide geotechnical services during the construction of the Indian Hills Drainage Improvement Project.
- d. Request for waiver of interest, penalties and administrative fees totaling \$1,192.92 of a Lot Clearing Lien in the amount of \$1,828.91 against 430 North 7th Street, owned by Fire Equipment Services of St. Lucie, Inc., contingent upon payment of \$635.99.
- e. Approval of Travel Expenses in the amount of \$1,086.44 for Commissioner Rufus J. Alexander, III, to attend the 2014 Florida League of Cities' Legislative Action Days which take place April 1 - 2, 2014, in Tallahassee, Florida.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht that the following items on the Consent Agenda be approved - **9b, 9c, 9d**.
Commissioner Sessions pulled item **9a**, Commissioner Alexander pulled item **9e**.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht,
Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

As to Item **9a**, Commissioner Alexander wanted to know specifically what this grant was for. Mr. Nick Mimms clarified this grant award is the second phase of the Highwaymen Heritage Trail. This grant will see the project to completion hopefully by the end of this year.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Edward Becht to approve Consent Agenda **9a**.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht,
Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

As to Item **9e**, Commissioner Alexander stated he wished to withdraw his request for travel expenses. He does not want to spend this type of money when he is asking for help for the children of the community. We can find better use of this money.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to accept the withdrawal of Item **9e**.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

10. PUBLIC HEARINGS

- a. Ordinance No. 14-007 - A Zoning Atlas Amendment request for 4100 Glades Cut-Off Road.
FIRST READING

City Clerk, Linda Cox, read the title of the Ordinance into the record.

Ms. Clarissa Davis, Planning Specialist, appeared with a presentation and a staff recommendation that the City Commission approve the zoning map amendment .

She responded to Commissioner Alexander that this facility is not processing fertilizer material, they simply sell it at a warehouse. There is no chemical processing of any kind done at this facility.

Mayor Hudson opened the Public Hearing.

Mr. John Debus expressed concern and inquired if any EPA inspections had been done recently.

Mr. Mike Hudson, President and CEO of Diamond R Fertilizer, stated he is there for a reinstatement of the zoning this property had prior to annexation into the City. They do not plan to change their current operations. The facility is regulated by the Florida Department of Agriculture and Consumer Services, not the EPA and is regularly inspected. He stated this is not a manufacturing facility, there is no blending of materials at this location. They deal specifically in the bagged commodities they sell.

Ms. Joyce Calvert feels we ought to hear the side of the citrus growers because they are doing their best to grow their crops without harm to the public.

Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve Ordinance No. 14-007 on first reading.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

- b. Ordinance No. 14-009 - Easement Abandonment, Fort Pierce Shopping Center, 1167 S US Highway 1. SECOND READING

City Clerk, Linda Cox, read the title of the Ordinance into the record.

Mr. Kori Benton, Historic Preservation Officer, was available for questions.

Mayor Hudson opened the Public Hearing.

Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve Ordinance No. 14-009 on second and final reading.

Commissioner Becht abstained from the vote because he represents the applicants requesting the abandonment of the easements, Fort Pierce Shopping Center, and filed Form 8B as required.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

- c. Ordinance No. 14-010 - Amending the Future Land Use Designation of Properties Generally Located at 1210 S 25th Street from OP to NC - FIRST READING

Mr. Kori Benton, Historic Preservation Officer, appeared with a presentation and a staff recommendation for the City Commission to approve the proposed amendment.

City Clerk, Linda Cox, read the title of the Ordinance into the record.

Mayor Hudson opened the Public Hearing.

Mr. Verill Moore stated his property is right behind the proposed building site. He is concerned about the proposed road abutting his property and requested that a wall be constructed if this project moves forward. Another concern is this vacant lot is no longer being maintained.

Mr. Damien Leslie of Bowman Consulting, representing the applicant, stated the current plans do include buffering in the form of a wall. He was not aware of what was happening with the maintenance of the lots but stated his willingness to facilitate the issue and bring it to the attention of the owners.

Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve Ordinance No. 14-010 on first reading.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

- d. Ordinance No. 14-011 - Rezoning Properties Generally Located at 1210 S 25th Street from C-1, Office Commercial to C-2, Neighborhood Commercial. FIRST READING

Mr. Benton stated this request is being submitted concurrently with the amending the Future Land Use previously discussed in Ordinance No. 14-010. Staff recommends the City Commission approve the proposed amendment.

Mayor Hudson opened the Public Hearing.

Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve Ordinance No. 14-011 on first reading.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions
Passed

11. MISCELLANEOUS REPORTS & REQUESTS

a. City Marina Reconstruction Update

Mr. Ed Seissinger, Project Coordinator, stated curb and paver repairs have already begun, paving of the parking lot should begin on April 1 and it will take 10 days.

b. Report on railway grade crossing diagnostic inspection for All Aboard Florida project.

Mr. Jack Andrews appeared with a presentation. Mr. Andrews met with representatives of All Aboard Florida, FEC, DOT and the Federal Railroad Administration at an "in the field" meeting at each of the train crossings in the City. He stated there would be 32 train passings, 16 round trips, daily and it is estimated the trains would be proceeding at approximately 110 mph. He continually requests updated plans but agreed with commission that the information is just dribbling out.

Commissioner Becht asked if it were possible for the City to go to the FRA and request they post a specific rate of speed for the trains through the downtown area. Mr. Andrews mentioned we have an advantage of a bend in the right of way that is a physical restraint for which the trains will have to slow down. Mr. Andrews was informed by the engineers and representatives present, it was determined that they could not go any faster than 40 mph in that area.

Commissioner Perona asked if the environmental study had come through. Mr. Andrews responded the study should be available within the next 60 days.

12. CITY COMMISSION

13. COMMENTS FROM THE CITY MANAGER

a. Department Activity Report - Mr. Bradshaw had no comments.

14. COMMENTS FROM THE COMMISSION

Commissioner Perona wants to encourage everybody to look at weatherization as an option to reduce some of their utility bills. Applications can be picked up at the Fort Pierce Utilities Authority to apply for the grants. There is available money to help with doors, windows and insulation.

Commissioner Alexander had no comment.

Commissioner Sessions suggested we look into purchasing or leasing the necessary equipment to start handling the city's street paving and to train our Public Works department to handle these issues. He wanted to commend P.A.L. for the time and effort they put into the decorations for their banquet fundraiser. It was elegant and beautiful, first class.

Commissioner Becht agreed with Commissioner Sessions, it is an excellent, proactive idea for dealing with the paving problem. He mentioned the old City Hall is in need of

repair, since we have lost the federal funding we need to at some point in time figure out how we are going to do those repairs and from where is the money going to come. We have a parking problem in downtown Fort Pierce on Saturday mornings, at Causeway Park and Jetty Park. This is a sign of success; these parking problems are a sign that we are doing something right. He asked for feedback on some proactive ways to deal with the parking issues for the City's events.

Mayor Hudson wanted to thank the Public Works and Police departments and any staff at the clean up on Saturday in Lincoln Park. The Boy Scout's Troop 772 was there working in the neighborhood and a lot of cleaning up was going on; she wanted to thank them. Tomorrow at 2:00 p.m. there is a Lincoln Park Improvement Projects meeting at the Willie B. Ellis Substation located at 1220 Avenue D. Also, this Saturday is Taste of the Sea and Sandy Shoe Festival at the Riverwalk Center starting at 10:00 a.m.

15. ADJOURNMENT

There being no further business, Mayor Hudson declared the meeting adjourned at 8:31 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

| | |
|---|---|
| LAST NAME—FIRST NAME—MIDDLE NAME Becht Ed | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Fort Pierce |
| MAILING ADDRESS 321 S 2 nd Street | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| CITY COUNTY Ft. Pierce St. Lucie | NAME OF POLITICAL SUBDIVISION: City of Fort Pierce |
| DATE ON WHICH VOTE OCCURRED 3-17-14 | MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE |

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Eddie Becht, hereby disclose that on March 17, 2014:

(a) A measure came or will come before my agency which (check one or more)

inured to my special private gain or loss;

inured to the special gain or loss of my business associate, _____;

inured to the special gain or loss of my relative, _____;

inured to the special gain or loss of Fort Pierce Shopping Center, by whom I am retained; or

inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

-- 10b. Easement Abandonment --

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

3-17-14

Date Filed

Eddie W. Becht
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

City Commission Regular Meeting

Agenda Item # 6. a.

Meeting Date: 04/07/2014

Re: Sylvie Kramer Marceau Proclamation 2014

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Proclamation in honor of Sylvie Kramer Marceau as a Public Health Hero; being received by Marc Malloy.

Attachments

Sylvie Kramer Marceau Proclamation 2014

WHEREAS, the American Public Health Association brings together communities across the United States to observe National Public Health Week during the first full week in April of each year; and

WHEREAS, Sylvie Kramer Marceau is being recognized as a Public Health Hero for her passion and leadership that transformed a maternal child health system for moms and their babies in the City of Fort Pierce; and

WHEREAS, Sylvie Marceau began her work in St. Lucie County as a faculty member in 1991 through the University of South Florida's College of Public Health; and

WHEREAS, after examining the delivery of health services by Sylvie Marceau to pregnant women and infants with poor outcomes, poor access to care and high rates of infant mortality, an effective and efficient obstetric delivery system was implemented; and

WHEREAS, in 2000, Sylvie Marceau founded the Healthy Start Coalition of St. Lucie County and Kids Connected by Design, an umbrella organization that tied together three organizations which included the Healthy Start Coalition, Healthy Families and Healthy Kids; and

WHEREAS, due to Sylvie Marceau's efforts, access to pre-natal care was increased, teen births dropped significantly and transmission of HIV from mother-to-baby dropped from 30% to 0%, the infant mortality rates also dropped from a high of 11.7% in 1993 to 4.7% in 2011; and

WHEREAS, Sylvie Kramer Marceau passed away in 2011, but her legacy lives on through the work of 15 programs serving over 16,500 children and families per year which operate under the umbrella of Kids Connected by Design.

NOW, THEREFORE, I Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby issue this proclamation in honor of:

Sylvie Kramer Marceau

in recognition of her outstanding and dedicated service to the City of Fort Pierce.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 7th day of April, 2014.

MAYOR/COMMISSIONER

City Commission Regular Meeting

Agenda Item # 6. b.

Meeting Date: 04/07/2014

Re: Guardian ad Litem Month 2014

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Proclamation declaring April, 2014, as Guardian ad Litem Month; being received by Vern Melvin, Circuit Director of the 19th Circuit Guardian ad Litem Program, Gail Griffith, Volunteer Recruiter for the 19th Circuit Guardian ad Litem Program and James Pawlak, President of Voices for Children of Okeechobee and the Treasure Coast.

Attachments

Guardian ad Litem Month Proclamation 2014

WHEREAS, the Guardian ad Litem Program speaks for the best interests of abused, abandoned and neglected children who are involved in the court system; and

WHEREAS, volunteers not only advocate for a child's best interest, but also serve as educational advocates and mentors; and

WHEREAS, each year, more than 700 of these children are victims who have endured abuse and are in need of a Guardian ad Litem to speak for their best interest; and

WHEREAS, members of the Fort Pierce community are encouraged to join together throughout the month of April to raise awareness for those children who have fallen victim to abuse, neglect and abandonment; and

WHEREAS, the Guardian ad Litem Program allows individuals to join hands with government in order to give a voice to innocent children who are suffering through no fault of their own.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby proclaim the month of April, 2014, as:

Guardian ad Litem Month

and urge all citizens to give of their time to make a difference in the lives of our most vulnerable children by volunteering with the Guardian ad Litem Program.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 7th day of April, 2014.

MAYOR COMMISSIONER

City Commission Regular Meeting

Agenda Item # 6. c.

Meeting Date: 04/07/2014

Re: Water Conservation Month Proclamation 2014

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Proclamation declaring the month of April, 2014, as Water Conversation Month; being received by William Thiess, Director of Utilities, Fort Pierce Utilities Authority.

Attachments

Water Conservation Month 2014

WHEREAS, water is a basic and essential need of every living creature; and

WHEREAS, the State of Florida, Water Management Districts and the City of Fort Pierce are working together to increase awareness about the importance of water conservation; and

WHEREAS, April, typically a dry month when water demands are highest, is annually designated as Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, the City of Fort Pierce encourages and supports water conservation, through various educational programs and special events; and

WHEREAS, every business, industry, school and citizen can make a difference by efficiently using water, thus promoting a healthy economy and community.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby proclaim the month of April, 2014, as:

Water Conservation Month

and urge all citizens and business in the City to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 7th day of April, 2014.

MAYOR COMMISSIONER

City Commission Regular Meeting

Agenda Item # 6. d.

Meeting Date: 04/07/2014

Re: Child Abuse Prevention Month 2014

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Proclamation declaring the month of April, 2014, as Child Abuse Prevention Month; being received by Courtney Gurtowski, CASTLE Community Relations.

Attachments

Child Abuse Prevention Month Proclamation 2014

WHEREAS, child abuse is a serious and growing problem that occurs when people feel more vulnerable due to stressful situations and economic challenges; and

WHEREAS, child abuse has been linked to a wide range of medical, emotional, psychological and behavioral disorders that depend on the involvement of people throughout the community; and

WHEREAS, child abuse and neglect are problems that depend on community involvement to ensure that each family has the support necessary to raise their children in a safe, healthy and nurturing environment; and

WHEREAS, effective child abuse programs succeed because of partnerships created among state and local government agencies, schools, faith based organizations and the business community; and

WHEREAS, CASTLE (Child Abuse Services, Training & Life Enrichment) of the Treasure Coast and Okeechobee County, through their support of parent aid programs, parenting classes, educational programs, and community service activities, is making significant progress in stopping this crime against our nation's and community's children and families.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby proclaim the month of April, 2014, as:

“CHILD ABUSE PREVENTION MONTH”

in the City of Fort Pierce and urge all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation to support families, thereby preventing child abuse and strengthening our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 7th day of April, 2014.

MAYOR COMMISSIONER

City Commission Regular Meeting

Agenda Item # 7. a.

Meeting Date: 04/07/2014

Re: Commendation Letter for River Walk Employees

Submitted For: Robert Bradshaw, City Manager

SUBJECT:

Letter from Ken Milner, Commodore - Fort Pierce Yacht Club, commending the work and cooperation in appreciation for Michelle Kubitschek and Steve Strong.

Attachments

Commendation Letter from Ken Milner

March 19, 2014

Fort Pierce Yacht Club

700 North Indian River Drive - P.O. Box 3108

Fort Pierce, Florida 34948

To : Robert J. Bradshaw, City Manager - Fort Pierce, Florida

RECEIVED
TIME _____
MAR 20 2014
CITY OF FT. PIERCE
CITY MANAGER'S OFFICE



Dear Mr. Bradshaw,

On behalf of the Fort Pierce Yacht Club Directors and membership, I am writing you to commend the work and cooperation and convey the appreciation we have had for the City employees at Riverwalk Center, Michelle Kubitschek, and Steve Strong.

They are always friendly and cooperative in their dealings with us at the Fort Pierce Yacht Club and are a shining example of the many great employees you have in our City.

There are so many reasons to say that Fort Pierce is a great place to live, work and play and working with Michelle and Steve is just one of them.

Sincerely,

Ken Milner



Commodore - Fort Pierce Yacht Club

CC: Fort Pierce Yacht Club Board of Directors, Mayor Linda Hudson

City Commission Regular Meeting

Agenda Item # 9. a.

Meeting Date: 04/07/2014

Re: Lot Clearing Lien Reduction - 503 N. 14th Street

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Waive interest and penalties for Lot Clearing Lien in the amount of \$372.27 against 503 N. 14th Street, owned by P. Serge Camille, contingent upon payment of \$256.77 in 60 days.

SUMMARY:

Request by Mr. P. Serge Camille to waive all lot clearing fees, interest, penalties and administrative charges leaving a balance of \$0.00.

RECOMMENDATION:

Staff recommends waiving interest and penalties only in the amount of \$115.50 contingent upon payment of Lot Clearing and Administration fees totaling \$256.77.

ALTERNATIVES:

Deny request.
Determine alternate amount.

RESPONSIBLE STAFF:

Colleen Greer, Administrative Assistant

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager
Kathy D'Arton, Accounts Receivable

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2014

Account:

Amount: 256.77

OTHER INFORMATION:

Revenue of \$256.77 to the General Fund.

Attachments

Fees Breakdown

Tax Card

Red Req

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: LOT CLEARING LIEN REDUCTION
503 N 14th Street, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Lot Clearing Fines (General Fund) | Interest & Penalties | Administrative Fees |
|---|-----------------------------------|----------------------|---------------------|
| | \$156.77 | \$96 .00 | \$100.00 |
| <hr/> | | | |
| Totals: | \$156.77 | \$115.50 | \$100.00 |
| | | | |
| AMOUNT THAT CAN BE WAIVED (ALL INTEREST & PENALTIES) | | | \$115.50 |
| AMOUNT THAT CANNOT BE WAIVED (ALL LOT CLEARING & ADMIN COSTS) | | | \$ <u>256.77</u> |
| | | TOTAL | \$372.27 |
| | | | |
| AMOUNT REQUESTED TO BE WAIVED | | | \$ 372.27 |
| AMOUNT BEING OFFERED FOR SETTLEMENT | | | \$ <u>.00</u> |
| | | TOTAL | \$ 372.27 |

PROPERTY RECORD CARD

Serge Camille Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 503 N 14th St ParcelID: 2409-503-0014-000-6
 Sec/Town/Range: 09 :35S :40E Account #: 21338
 Map ID: 24/09N Use Type: Vac Res
 Zoning: C3 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Serge Camille
 Address: 4560 NW 49 Ct
 Coconut Creek FL 33073-2943

Legal Description

GOLDSMITH'S S/D BLK 1 LOT 13 AND E7.5 FT OF VAC ALLEY ADJ
 ON W (ORDN J-206 OR 1036-1522) (OR 2278-12
[More...](#)

Sales Information

| Date | Price | Code | Deed | Book/Page |
|-----------|-------|------|------|-------------|
| 6/21/2005 | 6100 | 01 | TD | 2278 / 1285 |
| 7/12/2001 | 100 | 04 | QC | 1413 / 1071 |
| 5/23/2001 | 100 | 04 | QC | 1396 / 0623 |
| 5/12/1998 | 100 | 01 | QC | 1145 / 0305 |
| 9/4/1987 | 100 | 01 | QC | 0936 / 1862 |
| 1/1/1986 | 50000 | 01 | CV | 0493 / 1453 |

Assessment 2013

2013 Final: 1300
 Assessed: 1300
 Ag.Credit: 0
 Exempt:
 Taxable:
 Taxes: 33.22

Total Land and Building

Land Value: 1300 Acres: 0.17
 Building Value: 0
 Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch
 Available



Exterior Features

View: - RoofCover: - RoofStruct: -
 ExtType: - YearBlt: - Frame: -
 Grade: - EffYrBlt: - PrimeWall: -
 StoryHght: - No.Units: - SecWall: -

Interior Features

BedRooms: - Electric: - PmIntWall: -
 FullBath: - HeatType: - AvgHt/Ft: -
 1/2Bath: - HeatFuel: - Pm.Flors: -
 %A/C: - %Heated: - %Sprinkled: -

Special Features and Yard Items

Land Information

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|--------|-----|--------------|---------------|---------|-------|
| | | | | | | | 1 | 0000-Vac Res | 215 -Front Ft | 48.5 | 152.5 |

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A WAIVER LOT CLEARING / DEMOLITION LIENS

| | | | |
|--|---|--|--|
| Property address: | 503 N 14 ST Fort Pierce FL 34950 | | |
| Owner(s) of record: | SERGE CAMILLE | | |
| Mailing address: | 4560 NW 49 CT Coconut Creek, FL 33073 | | |
| Property tax ID #: | 2409-503-0014-000 / 6 | | |
| Original purchase date: | | Original purchase price: | 10,000 |
| Other Information: | <input type="checkbox"/> Inherited Property | <input type="checkbox"/> Purchased at Tax Sale | <input type="checkbox"/> Adjoining Property Owner |
| Property is used for: | <input type="checkbox"/> Single Family | <input type="checkbox"/> Multi-family | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Vacant Lot |
| Name of person requesting waiver | SERGE CAMILLE | Relationship to owner(s): | |
| Telephone #: | 954-422-9937 | Mobile phone #: | 772-333-1023 |
| E-mail: | | Preferred contact method: | Mail or Phone |
| What are owner(s) intentions for property: | | | |
| Are there current code violations? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | Explain: (please attached notice) |
| Is a lien filed against the property? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | If yes, what is the lien amount? |
| Is property listed for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is listing price? |
| Is property under contract for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is the sale price? |

| | |
|---|-------------------------|
| City incurred charges (lot clearing, demolition, etc) | \$ <u>156.77</u> |
| Administrative fees | \$ <u>100.00</u> |
| Interest | \$ <u>96.00</u> |
| Penalties | \$ <u>19.50</u> |
| TOTAL AMOUNT DUE TO CITY | \$ <u>372.27</u> |
| DOLLAR AMOUNT REQUESTING TO BE WAIVED | \$ _____ |
| DOLLAR AMOUNT I AGREE TO PAY | \$ <u>0.</u> |

If the city waives any fees, interest, penalties or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Commission's decision unless an alternate time frame is specified in the motion.

Serge Camille
(Signature of Owner or Representative)

SERGE CAMILLE
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 503 N 14 ST Fort pierce FL 34950
Property Owner: SERGE CAMILLE
Mailing Address: 4560 NW 49CT Coconut Creek FL 33073
Telephone #: 954-422-9937 Cell Phone #: 772-333-1023
E-Mail Address: _____

Is the property in compliance? _____ If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, _____, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

Date: _____

Signed: Serge Camille
Print Name: SERGE CAMILLE

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Serge Camille who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced FL DL # C 540-677-55-012-0 as identification.

SWORN TO AND SUBSCRIBED before me this 27th day of February, 2014.

 **COLLEEN GREER**
MY COMMISSION # EE 216024
EXPIRES: November 13, 2016
Bonded Thru Budget Notary Services

Colleen Greer
Notary Public, State of Florida

City Commission Regular Meeting

Agenda Item # 9. b.

Meeting Date: 04/07/2014

Re: Lot Clearing Lien Reduction - 503 N. 14th Street

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Waive interest, penalties and administrative fees for Lot Clearing Lien in the amount of \$1,795.16 against 503 N. 14th Street, owned by P. Serge Camille, contingent upon payment of \$533.77 in 60 days.

SUMMARY:

Request by Mr. Serge Camille to reduce lot clearing lien in the amount of \$1795.16 to \$.00.

RECOMMENDATION:

Staff recommends waiving interest, penalties and administration costs in the amount of \$1,261.39 upon payment of Lot Clearing fees totaling \$533.77.

ALTERNATIVES:

Deny request.
Determine alternate amount.

RESPONSIBLE STAFF:

Colleen Greer, Executive Assistant

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager
Kathy D'Arton, Accounts Receivable

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2014

Account:

Amount: 533.77

OTHER INFORMATION:

Revenue of \$533.77 to the General Fund.

Attachments

Tax Card

Red. Request

Breakdown

PROPERTY RECORD CARD

Serge Camille Record: 1 of 1

<<Prev

Next >>

Spec.Assmnt

Taxes

Exemptions Permits Home Print

Property Identification

Site Address: 503 N 14th St
 Sec/Town/Range: 09 :35S :40E
 Map ID: 24/09N
 Zoning: C3

ParcelID: 2409-503-0014-000-6
 Account #: 21338
 Use Type: Vac Res
 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Serge Camille
 Address: 4560 NW 49 Ct
 Coconut Creek FL 33073-2943

Legal Description

GOLDSMITH'S S/D BLK 1 LOT 13 AND E7.5 FT OF VAC ALLEY ADJ
 ON W (ORDN J-206 OR 1036-1522) (OR 2278-12
[More...](#)

Sales Information

| Date | Price | Code | Deed | Book/Page |
|-----------|-------|------|------|-------------|
| 6/21/2005 | 6100 | 01 | TD | 2278 / 1285 |
| 7/12/2001 | 100 | 04 | QC | 1413 / 1071 |
| 5/23/2001 | 100 | 04 | QC | 1396 / 0623 |
| 5/12/1998 | 100 | 01 | QC | 1145 / 0305 |
| 9/4/1987 | 100 | 01 | QC | 0936 / 1862 |
| 1/1/1986 | 50000 | 01 | CV | 0493 / 1453 |

Assessment 2013

| | |
|-------------|-------|
| 2013 Final: | 1300 |
| Assessed: | 1300 |
| Ag.Credit: | 0 |
| Exempt: | |
| Taxable: | |
| Taxes: | 33.22 |

Total Land and Building

| | | |
|-----------------|------|-------------|
| Land Value: | 1300 | Acres: 0.17 |
| Building Value: | 0 | |
| Finished Area: | 0 | SqFt |

BUILDING INFORMATION

No Sketch
 Available



Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Flors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|--------|-----|--------------|---------------|---------|-------|
| | | | | | | | 1 | 0000-Vac Res | 215 -Front Ft | 48.5 | 152.5 |

Land Information

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A WAIVER LOT CLEARING / DEMOLITION LIENS

| | | | |
|--|---|--|--|
| Property address: | 503 N 14 ST Fort Pierce FL 34950 | | |
| Owner(s) of record: | SERGE CAMILLE | | |
| Mailing address: | 4560 NW 49 CT Coconut Creek FL 33073 | | |
| Property tax ID #: | 2409-503-0014-000 / 6 | | |
| Original purchase date: | | Original purchase price: | |
| Other Information: | <input type="checkbox"/> Inherited Property | <input type="checkbox"/> Purchased at Tax Sale | <input type="checkbox"/> Adjoining Property Owner |
| Property is used for: | <input type="checkbox"/> Single Family | <input type="checkbox"/> Multi-family | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Vacant Lot |
| Name of person requesting waiver | SERGE CAMILLE | Relationship to owner(s): | |
| Telephone #: | 954-422-9937 | Mobile phone #: | 772-333-1023 |
| E-mail: | | Preferred contact method: | mail or phone |
| What are owner(s) intentions for property: | | | |
| Are there current code violations? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | Explain: (please attached notice) |
| Is a lien filed against the property? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | If yes, what is the lien amount? |
| Is property listed for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is listing price? |
| Is property under contract for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is the sale price? |

| | |
|---|-------------------|
| City incurred charges (lot clearing, demolition, etc) | \$ 533.11 |
| Administrative fees | \$ 706.50 |
| Interest | \$ 461.11 |
| Penalties | \$ 93.78 |
| TOTAL AMOUNT DUE TO CITY | \$ 1795.16 |
| DOLLAR AMOUNT REQUESTING TO BE WAIVED | \$ _____ |
| DOLLAR AMOUNT I AGREE TO PAY | \$ _____ |

If the city waives any fees, interest, penalties or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Commission's decision unless an alternate time frame is specified in the motion.

P. Serge Camille
(Signature of Owner or Representative)

SERGE CAMILLE
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 503 N 14 ST Fort pierce FL 34950

Property Owner: SERGE CAMILLE

Mailing Address: 4560 NW 49th E. Fort Pierce FL 33073

Telephone #: 954-422-9937 Cell Phone #: 772-333-1023

E-Mail Address: _____

Is the property in compliance? _____ If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, _____, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

Date: _____

Signed: Serge Camille
Print Name: SERGE CAMILLE

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority P Serge Camille who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced FL D L C 540-677-55-012-0 as identification.

SWORN TO AND SUBSCRIBED before me this 27th day of February, 2014.



COLLEEN GREER
MY COMMISSION # EE 216024
EXPIRES: November 13, 2016
Bonded Thru Budget Notary Services

Colleen Greer
Notary Public, State of Florida

MR430101 CITY OF FORT PIERCE FINANCE DEPARTMENT 2/03/14
 Miscellaneous Receivables Inquiry 10:21:28

Customer ID : 2049 Name: 503 N 14 ST CAMILLE
 Last statement : 1/11/14 Addr: 240950300140006 CAMILLE
 Last invoice : 5/03/12
 Current balance : 1,794.76
 Pending : .00 Status: A ACTIVE
 Previous balance : 1,794.76 Type: 001 0000 115 02 00 LC
 Deposit balance : .00
 Type Options, press Enter. Open Activity

| Opt Code | Description | Current | Overdue | Total due |
|-----------|------------------------|---------|---------|-----------|
| INT01 LC | INTEREST CHARGE 6%/YR | 6.18 | 454.93 | 461.11 |
| LOTAD LOT | CLEARING ADMIN FEE | .00 | 706.50 | 706.50 |
| LOTCL LOT | CLEARING | .00 | 419.67 | 419.67 |
| LOT02 LC | | .00 | 113.70 | 113.70 |
| PEN01 LC | PENALTY CHARGES OF .14 | 1.25 | 92.53 | 93.78 |
| | | | Bottom | 533.31 |

F3-Exit F7-Pending activity F8-Charge hsty F9-Payment hsty
 F10-Combined detail F11-Invoice inquiry F12-Cancel F13-Auto charges
 F14-Deposit detail F20-Print Activity Listing F21-Other tasks

add \$7.43 per month not paid in full

*Not eligible for reduction
 533.31*

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: LOT CLEARING LIEN REDUCTION
503 N 14th Street, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Costs (General Fund) | Interest & Penalties | Administrative Fees |
|--------------------------------|----------------------|----------------------|---------------------|
| Lot Clearing Lien (05/03/2012) | \$533.77 | \$554.89 | \$706.50 |
| | | | |
| | | | |
| TOTAL | \$533.77 | \$554.89 | \$706.50 |

| | |
|---|------------------|
| CAN BE WAIVED (ALL INTEREST, PENALTIES, AND ADMIN. COSTS) | \$1261.39 |
| CANNOT BE WAIVED (ALL LOT CLEARING COSTS) | <u>\$ 533.77</u> |
| | \$1795.16 |

City Commission Regular Meeting

Agenda Item # 9. c.

Meeting Date: 04/07/2014

Re: Demolition Lien Reduction - 503 N. 14th Street

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Waive interest and penalties for Demolition Lien in the amount of \$5,256.48 against 503 N. 14th Street, owned by P. Serge Camille, contingent upon payment of \$2,820.00 in 60 days.

SUMMARY:

Request by Mr. Serge Camille to reduce demolition lien in the amount of \$5,256.48 to \$.00.

RECOMMENDATION:

Staff recommends waiving interest and penalties only in the amount of \$2436.48 upon payment of demolition and administration costs totaling \$2820.00.

ALTERNATIVES:

- Deny request
- Determine alternate amount

RESPONSIBLE STAFF:

Colleen Greer, Executive Assistant

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager
Kathy D'Arton, Accounts Receivable

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2014

Account:

Amount: 2820.00

OTHER INFORMATION:

Revenue of \$2,820 to the General Fund.

Attachments

Tax Card

Red. Request

Fees breakdown

PROPERTY RECORD CARD

Serge Camille Record: 1 of 1

<<Prev Next >>

Spec.Assmnt

Taxes

Exemptions

Permits Home Print

Property Identification

Site Address: 503 N 14th St
 Sec/Town/Range: 09 :35S :40E
 Map ID: 24/09N
 Zoning: C3

ParcelID: 2409-503-0014-000-6
 Account #: 21338
 Use Type: Vac Res
 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Serge Camille
 Address: 4560 NW 49 Ct
 Coconut Creek FL 33073-2943

Legal Description

GOLDSMITH'S S/D BLK 1 LOT 13 AND E7.5 FT OF VAC ALLEY ADJ
 ON W (ORDN J-206 OR 1036-1522) (OR 2278-12
[More...](#)

Sales Information

| Date | Price | Code | Deed | Book/Page |
|-----------|-------|------|------|-------------|
| 6/21/2005 | 6100 | 01 | TD | 2278 / 1285 |
| 7/12/2001 | 100 | 04 | QC | 1413 / 1071 |
| 5/23/2001 | 100 | 04 | QC | 1396 / 0623 |
| 5/12/1998 | 100 | 01 | QC | 1145 / 0305 |
| 9/4/1987 | 100 | 01 | QC | 0936 / 1862 |
| 1/1/1986 | 50000 | 01 | CV | 0493 / 1453 |

Assessment 2013

| | |
|-------------|-------|
| 2013 Final: | 1300 |
| Assessed: | 1300 |
| Ag Credit: | 0 |
| Exempt: | |
| Taxable: | |
| Taxes: | 33.22 |

Total Land and Building

| | | |
|-----------------|------|-------------|
| Land Value: | 1300 | Acres: 0.17 |
| Building Value: | 0 | |
| Finished Area: | 0 | SqFt |

BUILDING INFORMATION

No Sketch
 Available



Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No. Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHVFl: | - |
| 1/2Bath: | - | HeatFuel: | - | Pm Flors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|--------|-----|--------------|---------------|---------|-------|
| 1 | | | | | | | 1 | 0000-Vac Res | 215 -Front Ft | 48.5 | 152.5 |

Land Information

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A WAIVER LOT CLEARING / DEMOLITION LIENS

| | | | | | |
|--|---|---|---|-------------------------------------|--|
| Property address: | 503 N 14 ST Fort Pierce FL 34950 | | | | |
| Owner(s) of record: | SERGE CAMILLE | | | | |
| Mailing address: | 4560 NW 49 ^{CT} Coconut Creek FL 33073 | | | | |
| Property tax ID #: | 2409-503-0014-000 / 6 | | | | |
| Original purchase date: | | Original purchase price: | | | |
| Other Information: | <input type="checkbox"/> Inherited Property | <input checked="" type="checkbox"/> Purchased at Tax Sale | <input type="checkbox"/> Adjoining Property Owner | | |
| Property is used for: | <input type="checkbox"/> Single Family | <input type="checkbox"/> Multi-family | <input type="checkbox"/> Commercial | <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Vacant Lot |
| Name of person requesting waiver | SERGE CAMILLE | | Relationship to owner(s): | | |
| Telephone #: | 954-422-9937 | | Mobile phone #: | 772-333-1023 | |
| E-mail: | | | Preferred contact method: | Phone or Mail | |
| What are owner(s) intentions for property: | | | | | |
| Are there current code violations? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | Explain: (please attached notice) | | |
| Is a lien filed against the property? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | If yes, what is the lien amount? | | |
| Is property listed for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is listing price? | | |
| Is property under contract for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is the sale price? | | |

| | |
|---|-------------------|
| City incurred charges (lot clearing, demolition, etc) | \$ 2720.00 |
| Administrative fees | \$ 100.00 |
| Interest | \$ 2030.40 |
| Penalties | \$ 406.08 |
| TOTAL AMOUNT DUE TO CITY | \$ 5256.48 |
| DOLLAR AMOUNT REQUESTING TO BE WAIVED | \$ 5256.48 |
| DOLLAR AMOUNT I AGREE TO PAY | \$ 0.00 |

If the city waives any fees, interest, penalties or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Commission's decision unless an alternate time frame is specified in the motion.

Serge Camille
(Signature of Owner or Representative)

SERGE CAMILLE
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 503 N 14 ST Fort pierce FL 34950

Property Owner: SERGE CAMILLE

Mailing Address: 4560 NW 49 CT Coconut Creek FL 33073

Telephone #: 954-422-9937 Cell Phone #: 772-333-1023

E-Mail Address: _____

Is the property in compliance? _____ If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, SERGE CAMILLE, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

brought this property with the existing lien

Date: _____

Signed: Serge Camille

Print Name: SERGE CAMILLE

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority P Serge Camille who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced FL DL # C540-672-55-012-0 as identification.

SWORN TO AND SUBSCRIBED before me this 27th day of February, 2014.



COLLEEN GREER
MY COMMISSION # EE 216024
EXPIRES: November 13, 2016
Bonded Thru Budget Notary Services

Colleen Greer
Notary Public, State of Florida

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: DEMOLITION LIEN REDUCTION
503 N 14th Street, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Costs (General Fund) | Interest & Penalties | Administrative Fees |
|------------------------------|----------------------|----------------------|---------------------|
| Demolition Lien (09/18/2001) | \$2720.00 | \$2436.48 | \$100.00 |
| | | | |
| | | | |
| TOTAL | \$2720.00 | \$2436.48 | \$100.00 |

| | |
|---|------------------|
| CAN BE WAIVED (ALL INTEREST, PENALTIES, AND ADMIN. COSTS) | \$2536.48 |
| CANNOT BE WAIVED (ALL DEMOLITION COSTS) | <u>\$2720.00</u> |
| | \$5256.48 |

City Commission Regular Meeting

Agenda Item # 9. d.

Meeting Date: 04/07/2014

Re: Lot Clearing & Demolition Lien - 2604 Avenue E

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Waive interest, penalties and administrative fees for Lot Clearing & Demolition Liens in the amount of \$12,772.40 against 2604 Avenue E, owned by P. Serge Camille, contingent upon payment of \$6,114.85 in 60 days.

SUMMARY:

Request by Serge Camille to reduce lot clearing and demolition liens in the amount of \$12,772.40 to \$700.00.

RECOMMENDATION:

Staff recommends waiving interest, administrative fees and all penalties in the amount of \$6657.55 upon payment of lot clearing and demolitions fees totaling \$6114.85 in 60 days.

ALTERNATIVES:

Deny request.
Determine alternate amount.

RESPONSIBLE STAFF:

Colleen Greer, Executive Assistant

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager
Kathy D'Arton, Accounts Receivable

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2013

Account:

Amount: 6114.85

OTHER INFORMATION:

\$6,114.85 to the general fund.

Attachments

Red. Request

Tax Card

Fees Breakdown





CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A WAIVER LOT CLEARING / DEMOLITION LIENS

| | | | | | |
|--|--|---|--|---|--|
| Property address: | | 2604 Ave E Fort pierce FL 33073 | | | |
| Owner(s) of record: | | SERGE CAMILLE | | | |
| Mailing address: | | 4560 NW 49 th Coconut Creek FL 33073 | | | |
| Property tax ID #: | | 2405-817-0039-000 / 9 | | | |
| Original purchase date: | | Original purchase price: | | 12,000. | |
| Other Information: | | <input type="checkbox"/> Inherited Property | | <input type="checkbox"/> Purchased at Tax Sale | |
| | | | | <input type="checkbox"/> Adjoining Property Owner | |
| Property is used for: | | <input type="checkbox"/> Single Family | | <input type="checkbox"/> Multi-family | |
| | | <input type="checkbox"/> Commercial | | <input type="checkbox"/> Industrial | |
| | | | | <input checked="" type="checkbox"/> Vacant Lot | |
| Name of person requesting waiver | | SERGE CAMILLE | | Relationship to owner(s): | |
| Telephone #: | | 954-422-9937 | | Mobile phone #: 772-333-1023 | |
| E-mail: | | | | Preferred contact method: Mail or phone | |
| What are owner(s) intentions for property: | | | | | |
| Are there current code violations? | | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes | | Explain: (please attached notice) | |
| Is a lien filed against the property? | | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes | | If yes, what is the lien amount? | |
| Is property listed for sale? | | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes | | If yes, what is listing price? | |
| Is property under contract for sale? | | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes | | If yes, what is the sale price? | |

City incurred charges (lot clearing, demolition, etc)

\$ 6144.85

Administrative fees

\$ 900.00

Interest

\$ 4775.51

Penalties

\$ 952.04

TOTAL AMOUNT DUE TO CITY

\$ 12,772.40

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 12072.40

DOLLAR AMOUNT I AGREE TO PAY

\$ 700

If the city waives any fees, interest, penalties or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Commission's decision unless an alternate time frame is specified in the motion.

Serge Camille
(Signature of Owner or Representative)

SERGE CAMILLE
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 2604 Ave E Fort pierce FL 34950

Property Owner: SERGE CAMILLE

Mailing Address: 4560 NW 49th CoCoNut Creek FL 33073

Telephone #: 954-422-9937 Cell Phone #: 772-333-1023

E-Mail Address: _____

Is the property in compliance? _____ If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, SERGE CAMILLE, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

brought this property in Auction lots with lien - of demolition, clearing to f...

Date: 2-21-14

Signed: P. Serge Camille
Print Name: P. SERGE CAMILLE

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority P. SERGE CAMILLE who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced FL DL # C540-67-55-012-0 as identification.

SWORN TO AND SUBSCRIBED before me this 21 day of February, 20 14.



Margaret M. Arraiz
Notary Public, State of Florida

PROPERTY RECORD CARD

Serge Camille Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 2604 Avenue E
 Sec/Town/Range: 05 :35S :40E
 Map ID: 24/05S
 Zoning: R3

ParcelID: 2405-817-0039-000-9
 Account #: 19247
 Land Use: Vac Res
 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Serge Camille
 Address: 4560 NW 49 Ct
 Coconut Creek FL 33073-2943

Legal Description

RE-S/D OF TRACTS 113, 114, 127 AND 128 GARDEN CITY FARMS
 05 35 40 W46.7 FT OF S 114 FT OF LOT 4 OF T
[More...](#)

Sales Information

| Date | Price | Code | Deed | Book/Page |
|-----------|-------|------|------|-------------|
| 6/21/2005 | 12900 | 01 | TD | 2276 / 1731 |
| 7/1/1985 | 0 | 01 | CV | 0476 / 1370 |
| 7/1/1985 | 0 | 01 | CV | 0476 / 1370 |

| Assessment 2009 Final | Total Land and Building |
|-----------------------|------------------------------|
| 2009 Final: 5800 | Land Value: 5800 Acres: 0.12 |
| Assessed: 5800 | Building Value: 0 |
| Ag.Credit: 0 | Finished Area: 0 SqFt |
| Exempt: | |
| Taxable: | |
| Taxes: 137.04 | |

BUILDING INFORMATION

No Sketch
 Available

No Image
 Available

Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Flors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt | No. | Land Use | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|-------|-----|--------------|--------------|---------|-------|
| | | | | | | | 1 | 0000-Vac Res | BI -Front Ft | 46.7 | 114 |

Land Information

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

Bought at tax sale

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: LOT CLEARING & DEMOLITION LIEN REDUCTION
2604 Avenue E, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Costs (General Fund) | Interest & Penalties | Administrative Fees |
|--------------------------------|----------------------|----------------------|---------------------|
| Demolition Lien (10/30/2001) | \$5820.00 | \$5043.84 | \$100.00 |
| Lot Clearing Lien (06/05/2008) | \$ 62.27 | \$ 65.96 | \$100.00 |
| Lot Clearing Lien (01/16/2013) | \$ 232.58 | \$ 647.75 | \$700.00 |
| TOTAL | \$6114.85 | \$5757.55 | \$900.00 |

| | |
|--|------------------|
| CAN BE WAIVED (ALL INTERESTS, PENALTIES & ADMIN COSTS) | \$6657.55 |
| CANNOT BE WAIVED (ALL DEMOLITION & LOT CLEARING COSTS) | <u>\$6114.85</u> |
| | \$12772.40 |

City Commission Regular Meeting

Agenda Item # 9. e.

Meeting Date: 04/07/2014

Re: Lot Clearing Lien Reduction - 507 N. 14th Street

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Waive interest, penalties and administrative fees for Lot Clearing Lien in the amount of \$2,785.75 against 507 N. 14th Street, owned by P. Serge Camille, contingent upon payment of \$1,027.23 in 60 days.

SUMMARY:

Request by Mr. Serge Camille to reduce lot clearing lien in the amount of \$2785.75 to \$300.00.

RECOMMENDATION:

Staff recommends waiving interest, administrative fees and penalties in the amount of \$1758.52 upon payment of lot clearing fees totaling \$1027.23.

ALTERNATIVES:

Deny request.
Determine alternate amount.

RESPONSIBLE STAFF:

Colleen Greer, Executive Assistant

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager
Kathy D'Arton, Accounts Receivable

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2014

Account:

Amount: 1027.23

OTHER INFORMATION:

Revenue of \$1027.23 to the General Fund.

Attachments

Red. Request

Tax Card

Fees breakdown



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A WAIVER LOT CLEARING / DEMOLITION LIENS

| | | | | | |
|--|--|---|---|---|--|
| Property address: | | 507 N 14 ST Fort pierce FL 34950 | | | |
| Owner(s) of record: | | SERGE CAMILLE | | | |
| Mailing address: | | 4560 NW 49 CT Coconut Creek FL 33073 | | | |
| Property tax ID #: | | 2409-503-0012-000 / 2 | | | |
| Original purchase date: | | Original purchase price: | | | |
| Other Information: | | <input type="checkbox"/> Inherited Property | | <input checked="" type="checkbox"/> Purchased at Tax Sale | <input type="checkbox"/> Adjoining Property Owner |
| Property is used for: | | <input type="checkbox"/> Single Family | <input type="checkbox"/> Multi-family | <input type="checkbox"/> Commercial | <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Vacant Lot |
| Name of person requesting waiver | | SERGE CAMILLE | | Relationship to owner(s): | |
| Telephone #: | | 954-422-9937 | | Mobile phone #: 772-333-1023 | |
| E-mail: | | | | Preferred contact method: Mail or phone | |
| What are owner(s) intentions for property: | | Continue to own property | | | |
| Are there current code violations? | | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | Explain: (please attached notice) | |
| Is a lien filed against the property? | | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | If yes, what is the lien amount? | |
| Is property listed for sale? | | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is listing price? | |
| Is property under contract for sale? | | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is the sale price? | |

| | |
|---|--------------------|
| City incurred charges (lot clearing, demolition, etc) | \$ 1027.23 |
| Administrative fees | \$ 590.67 |
| Interest | \$ 968.93 |
| Penalties | \$ 4.92 |
| TOTAL AMOUNT DUE TO CITY | \$ 2,785.75 |
| DOLLAR AMOUNT REQUESTING TO BE WAIVED | \$ 2,485.75 |
| DOLLAR AMOUNT I AGREE TO PAY | \$ 300. |

If the city waives any fees, interest, penalties or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Commission's decision unless an alternate time frame is specified in the motion.

P. Serge Camille
(Signature of Owner or Representative)

SERGE CAMILLE
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 507 N 14 ST Fort pierce FL 34950

Property Owner: SERGE CAMILLE

Mailing Address: 4560 NW 49 CT Coconut Creek FL 33073

Telephone #: 954-422-9937 Cell Phone #: 772-333-1023

E-Mail Address: _____

Is the property in compliance? _____ If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, SERGE CAMILLE, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

buying this property with lien for Demolition, lot clearing

Date: _____

Signed: P Serge Camille
Print Name: P. SERGE CAMILLE

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority P Serge Camille who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced FLDL # C 540-677-55-012-0 as identification.

SWORN TO AND SUBSCRIBED before me this 27th day of February, 2014.



COLLEEN GREER
MY COMMISSION # EE 216024
EXPIRES: November 13, 2016
Bonded Thru Budget Notary Service

Colleen Greer
Notary Public, State of Florida

PROPERTY RECORD CARD

Serge Camille Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 507 N 14th St
 Sec/Town/Range: 09 :35S :40E
 Map ID: 24/09N
 Zoning: R4

ParcelID: 2409-503-0012-000-2
 Account #: 21336
 Use Type: Vac Res
 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Serge Camille
 Address: 4560 NW 49 Ct
 Coconut Creek FL 33073-2943

Legal Description

GOLDSMITH'S S/D BLK 1 LOT 11 AND E7.5 FT OF VAC ALLEY ADJ ON W (OR 2278-1284)

Sales Information

| Date | Price | Code | Deed |
|------------|-------|------|------|
| 6/21/2005 | 7100 | 01 | TD |
| 9/29/1998 | 15000 | 00 | WD |
| 11/29/1993 | 0 | 01 | CT |
| 7/7/1993 | 600 | 01 | CT |
| 4/29/1992 | 2000 | 01 | QC |
| 3/1/1983 | 9000 | 01 | CV |

| Book/Page | Assessment 2013 |
|-------------|------------------|
| 2278 / 1284 | 2013 Final: 1300 |
| 1280 / 0576 | Assessed: 1300 |
| 0871 / 1759 | Ag.Credit: 0 |
| 0849 / 0385 | Exempt: |
| 0792 / 2771 | Taxable: |
| 0398 / 0664 | Taxes: 33.22 |

| Total Land and Building | |
|-------------------------|------------------|
| Land Value: | 1300 Acres: 0.17 |
| Building Value: | 0 |
| Finished Area: | 0 SqFt |

BUILDING INFORMATION

No Sketch
 Available



Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm Flors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | Land Information | | | | |
|------|-----|------|-------|-------|-------|--------|------------------|--------------|---------------|---------|-------|
| | | | | | | | No. | Use Type | Type | Measure | Depth |
| | | | | | | | 1 | 0000-Vac Res | 205 -Front Ft | 48.5 | 152.5 |

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: LOT CLEARING LIEN REDUCTION
507 N 14th Street, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Costs (General Fund) | Interest & Penalties | Administrative Fees |
|--------------------------------|----------------------|----------------------|---------------------|
| Lot Clearing Lien (09/10/2003) | \$1027.23 | \$1224.32 | \$534.20 |
| | | | |
| | | | |
| TOTAL | \$1027.23 | \$1224.32 | \$534.20 |

CAN BE WAIVED (ALL INTEREST, PENALTIES, AND ADMIN. COSTS)

CANNOT BE WAIVED (ALL LOT CLEARING COSTS)

\$1758.52
\$1027.23
\$2785.75

City Commission Regular Meeting

Agenda Item # 9. f.

Meeting Date: 04/07/2014

Re: Demolition Lien Reduction - 507 N. 14th Street

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Waive interest and penalties for Demolition Lien in the amount of \$7,883.40 against 507 N. 14th Street, owned by P. Serge Camille, contingent upon payment of \$4,100.00 in 60 days.

SUMMARY:

Request by Mr. Serge Camille to reduce demolition lien in the amount of \$7883.40 to \$.00.

RECOMMENDATION:

Staff recommends waiving interest and penalties only in the amount of \$3788.40 upon payment of the demolition lien and administration costs of \$4100.00.

ALTERNATIVES:

Deny request.
Determine alternate amount.

RESPONSIBLE STAFF:

Colleen Greer, Executive Assistant

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager
Kathy D'Arton, Accounts Receivable

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2014

Account:

Amount: 4100.00

OTHER INFORMATION:

Revenue of \$4,100.00 to the General Fund

Attachments

- tax card
 - Red. Request
 - Fees Breakdown
-

PROPERTY RECORD CARD

Serge Camille Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 507 N 14th St
 Sec/Town/Range: 09 :35S :40E
 Map ID: 24/09N
 Zoning: R4

ParcelID: 2409-503-0012-000-2
 Account #: 21336
 Use Type: Vac Res
 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Serge Camille
 Address: 4560 NW 49 Ct
 Coconut Creek FL 33073-2943

Legal Description

GOLDSMITH'S S/D BLK 1 LOT 11 AND E7.5 FT OF VAC ALLEY ADJ ON W (OR 2278-1284)

Sales Information

| Date | Price | Code | Deed |
|------------|-------|------|------|
| 6/21/2005 | 7100 | 01 | TD |
| 9/29/1998 | 15000 | 00 | WD |
| 11/29/1993 | 0 | 01 | CT |
| 7/7/1993 | 600 | 01 | CT |
| 4/29/1992 | 2000 | 01 | QC |
| 3/1/1983 | 9000 | 01 | CV |

| Book/Page | Assessment 2013 |
|-------------|------------------|
| 2278 / 1284 | 2013 Final: 1300 |
| 1280 / 0576 | Assessed: 1300 |
| 0871 / 1759 | Ag.Credit: 0 |
| 0849 / 0385 | Exempt: |
| 0792 / 2771 | Taxable: |
| 0398 / 0664 | Taxes: 33.22 |

| Total Land and Building | |
|-------------------------|------------------|
| Land Value: | 1300 Acres: 0.17 |
| Building Value: | 0 |
| Finished Area: | 0 SqFt |

BUILDING INFORMATION

No Sketch
 Available



Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm Flors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | Land Information | | | | |
|------|-----|------|-------|-------|-------|--------|------------------|--------------|---------------|---------|-------|
| | | | | | | | No. | Use Type | Type | Measure | Depth |
| | | | | | | | 1 | 0000-Vac Res | 205 -Front Ft | 48.5 | 152.5 |

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A WAIVER LOT CLEARING / DEMOLITION LIENS

| | | | |
|--|--|---|---|
| Property address: | | 507 N 14th St. Fort Pierce, FL 34950 | |
| Owner(s) of record: | | Serge Camille | |
| Mailing address: | | 4560 NW 19th Ct. Coconut Creek FL 33073 | |
| Property tax ID #: | | 24095030012002 | |
| Original purchase date: | | Original purchase price: | |
| Other Information: | | <input type="checkbox"/> Inherited Property | <input checked="" type="checkbox"/> Purchased at Tax Sale |
| | | <input type="checkbox"/> Adjoining Property Owner | |
| Property is used for: | | <input type="checkbox"/> Single Family | <input type="checkbox"/> Multi-family |
| | | <input type="checkbox"/> Commercial | <input type="checkbox"/> Industrial |
| | | <input checked="" type="checkbox"/> Vacant Lot | |
| Name of person requesting waiver | | Relationship to owner(s): | |
| Serge Camille | | | |
| Telephone #: | | Mobile phone #: | |
| 954-422-9937 | | 772-333-1023 | |
| E-mail: | | Preferred contact method: | |
| | | Mail or phone | |
| What are owner(s) intentions for property: | | Continue to own property | |
| Are there current code violations? | | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| | | Explain: (please attached notice) | |
| Is a lien filed against the property? | | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| | | If yes, what is the lien amount? | |
| Is property listed for sale? | | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes |
| | | If yes, what is listing price? | |
| Is property under contract for sale? | | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes |
| | | If yes, what is the sale price? | |

| | |
|---|-------------------|
| City incurred charges (lot clearing, demolition, etc) | \$ 4000.00 |
| Administrative fees | \$ 100.00 |
| Interest | \$ 13157.00 |
| Penalties | \$ 631.40 |
| TOTAL AMOUNT DUE TO CITY | \$ 7888.40 |
| DOLLAR AMOUNT REQUESTING TO BE WAIVED | \$ 7888.40 |
| DOLLAR AMOUNT I AGREE TO PAY | \$ 0 |

If the city waives any fees, interest, penalties or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Commission's decision unless an alternate time frame is specified in the motion.

Serge Camille
(Signature of Owner or Representative)

SERGE CAMILLE
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 507 N 14 ST Fort Pierce FL 34950
 Property Owner: SERGE CAMILLE
 Mailing Address: 4560 NW 49 CT COCONUT CREEK FL 33073
 Telephone #: 954-422-9937 Cell Phone #: 772-333-1023
 E-Mail Address: _____

Is the property in compliance? yes If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, _____, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

Date: _____

Signed: P Serge Camille
Print Name: SERGE CAMILLE

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority P Serge Camille who acknowledged before me that the information contained herein is true and correct. He/She is not personally known to me and has produced FL DL C540-677-55-012-0 as identification.

SWORN TO AND SUBSCRIBED before me this 27th day of February, 2014.



COLLEEN GREER
MY COMMISSION # EE 216024
EXPIRES: November 13, 2016
Bonded Thru Budget Notary Services

Colleen Greer
Notary Public, State of Florida

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: DEMOLITION LIEN REDUCTION
507 N 14th Street, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Costs (General Fund) | Interest & Penalties | Administrative Fees |
|----------------------------|----------------------|----------------------|---------------------|
| Demolition Lien (11/09/00) | \$4000.00 | \$3788.40 | \$100.00 |
| | | | |
| | | | |
| TOTAL | \$4000.00 | \$3788.40 | \$100.00 |

| | |
|---|------------------|
| CAN BE WAIVED (ALL INTEREST, PENALTIES, AND ADMIN. COSTS) | \$3888.40 |
| CANNOT BE WAIVED (ALL DEMOLITION COSTS) | <u>\$4000.00</u> |
| | \$7888.40 |

City Commission Regular Meeting

Agenda Item # 9. g.

Meeting Date: 04/07/2014

Re: Lien Reduction Request - 2604 Avenue E

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Waive Code Enforcement Lien in the amount of \$1,000.00 against 2604 Avenue E, owned by P. Serge Camille.

SUMMARY:

The total amount of lien is \$1,000.00. The owner P. Serge Camille, 4560 NW 49th Court, Coconut Creek, FL requests the City Commission waive all costs leaving a balance of \$.00 due.

RECOMMENDATION:

Based upon the fact that Mr. Camille purchased this property through a tax sale and is responsible for all lot clearing and demolition liens, staff and the Code Enforcement Board recommend waiving all costs.

ALTERNATIVES:

1. Deny the request.
2. Make alternative recommendations.

RESPONSIBLE STAFF:

Colleen Greer, Executive Assistant

COORDINATED WITH:

Margaret M. Arraiz, Code Compliance Manager

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Breakdown

Reduction Request

Tax Card

Minutes



MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: CODE ENFORCEMENT LIEN REDUCTION
2604 Avenue E, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Costs (General Fund) | Interest & Penalties | Administrative Fees |
|--------------------------|----------------------|----------------------|---------------------|
| CASE # 01-410 & #01-1000 | \$1000.00 | \$0.00 | \$0.00 |
| | | | |
| | | | |
| TOTAL | \$1000.00 | \$0.00 | \$0.00 |

CAN BE WAIVED (ALL COSTS)

\$1000.00



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A REDUCTION OR RESCINDMENT OF CODE ENFORCEMENT FINES / LIENS

| | | | |
|--|--|---|---|
| Date: | | | |
| Property address: | | 2604 Ave E Fort pierce FL 34950 | |
| Owner(s) of record: | | SERGE CAMILLE | |
| Mailing address: | | 4560 NW 49 CT Coconut Creek FL 33073 | |
| Property tax ID #: | | 2404 ⁵ -817-0039-000 / 9 | |
| Original purchase date: | | Original purchase price: 12,000. | |
| Other Information: | | <input type="checkbox"/> Inherited Property | <input checked="" type="checkbox"/> Purchased at Tax Sale |
| | | <input type="checkbox"/> Adjoining Property Owner | |
| Property is used for: | | <input type="checkbox"/> Single Family | <input type="checkbox"/> Multi-family |
| | | <input type="checkbox"/> Commercial | <input type="checkbox"/> Industrial |
| | | <input checked="" type="checkbox"/> Vacant Lot | |
| Name of person requesting reduction: | | SERGE CAMILLE | |
| Relationship to owner(s): | | | |
| Telephone #: | | 954-422-9937 | |
| Mobile phone #: | | 772-333-1023 | |
| E-mail: | | Preferred contact method: Mail or Home | |
| What are owner(s) intentions for property: | | | |
| Amount of Fine: | | \$1000.00 | |
| Date Fine Initiated: | | 7/2/2001 | |
| Are there current code violations? | | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes |
| Explain: (please attached notice) | | | |
| Is a lien filed against the property? | | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| If yes, what is the lien amount? | | | |
| Is property listed for sale? | | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes |
| If yes, what is listing price? | | | |
| Is property under contract for sale? | | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes |
| If yes, what is the sale price? | | | |

AMOUNT OF FINE / LIEN \$ 1000.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ 1000.00

DOLLAR AMOUNT I AGREE TO PAY \$ 0.00

If the city waives any fees, interest, penalties, fine or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Board, Magistrate or Commission's decision unless an alternate time frame is specified in the motion.

Serge Camille
(Signature of Owner or Representative)

SERGE CAMILLE
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 2604 Ave E Fort Pierce, FL 34950
 Property Owner: SERGE CAMILLE
 Mailing Address: 4560 NW 49th Coconut Creek FL 33073
 Telephone #: 954-422-9937 Cell Phone #: 772-333-1023
 E-Mail Address: _____

Is the property in compliance? _____ If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, SERGE CAMILLE, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

bought this property in auction w/
some lien, demolition and clearing lot.

Date: 2-21-14

Signed: P Serge Camille

Print Name: P. SERGE CAMILLE

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority P. Serge Camille who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced FL DL # C540-677-55-012-0 as identification.

SWORN TO AND SUBSCRIBED before me this 21 day of February, 2014.



Margaret M. Arraiz
Notary Public, State of Florida

PROPERTY RECORD CARD

Serge Camille Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 2604 Avenue E
 Sec/Town/Range: 05 :35S :40E
 Map ID: 24/05S
 Zoning: R3

ParcelID: 2405-817-0039-000-9
 Account #: 19247
 Land Use: Vac Res
 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Serge Camille
 Address: 4560 NW 49 Ct
 Coconut Creek FL 33073-2943

Legal Description

RE-S/D OF TRACTS 113, 114, 127 AND 128 GARDEN CITY FARMS
 05 35 40 W46.7 FT OF S 114 FT OF LOT 4 OF T
[More...](#)

Sales Information

| Date | Price | Code | Deed | Book/Page |
|-----------|-------|------|------|-------------|
| 6/21/2005 | 12900 | 01 | TD | 2276 / 1731 |
| 7/1/1985 | 0 | 01 | CV | 0476 / 1370 |
| 7/1/1985 | 0 | 01 | CV | 0476 / 1370 |

| Assessment 2009 Final | Total Land and Building |
|-----------------------|------------------------------|
| 2009 Final: 5800 | Land Value: 5800 Acres: 0.12 |
| Assessed: 5800 | Building Value: 0 |
| Ag.Credit: 0 | Finished Area: 0 SqFt |
| Exempt: | |
| Taxable: | |
| Taxes: 137.04 | |

BUILDING INFORMATION

No Sketch
 Available

No Image
 Available

Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Flors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt | No. | Land Use | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|-------|-----|--------------|--------------|---------|-------|
| | | | | | | | 1 | 0000-Vac Res | BI -Front Ft | 46.7 | 114 |

Land Information

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

Bought at tax sale

**MINUTES
CODE ENFORCEMENT BOARD
CITY OF FORT PIERCE
100 NORTH U.S. # 1
FORT PIERCE, FL 34950
MARCH 12, 2014**

Chairwoman Misty Minton called the meeting to order at 9:02 AM.

All present stood for the Pledge of Allegiance.

The role was called. Those present were Chairwoman Misty Minton, Vice Chair John George, Board Members Michael Monti, Geraldine Murphy, Terry Wolters, and Al Bernetti

Roderick Wallers called in January informing secretary that he would not be able to attend. Geraldine Murphy moved to excuse Mr. Waller's absence. Terry Wolters seconded the motion. A vote was taken and it was unanimous. Donald Scott had called in and said he would have to resign due to illness. Chairwoman Minton asked Code Compliance Manager Margaret Arraiz to send a letter thanking him for his service.

The next item on the Agenda was Approval of the Minutes of the meeting held on January 8, 2014.

Motion was made by John George and seconded by Geraldine Murphy to approve the Minutes of the meeting on January 8, 2014.

Those voting in favor of the motion were: Board Members Monti, Murphy, Wolters, Bernetti, Vice Chair George, and Chairwoman Minton. Those opposed: none.

Chairwoman Misty Minton welcomed Al Bernetti to the Code Enforcement Board. Margaret Arraiz stated that we are still looking for an alternate.

Margaret Arraiz introduced the two new Code Officers Isaac Saucedo, and Terry Denmark.

The next item on the agenda was the swearing in of the code officers: Code Compliance Manager Margaret Arraiz, Code Officers Shaun Coss and Terry Denmark.

Staff members present were Code Enforcement Board Secretary Colleen Greer, Assistant City Attorney James Walker and Officer Cheryl Glenn-Reed.

The next item on the agenda was **Lien Reduction Requests.**

Item 5B-10 is case # 12-1659; property address is 2729 S US Highway 1, Ft. Pierce, FL. The current owner is Juan E. Garcia, 4010 62nd Terrace East, Bradenton, FL 34203-7043. The code sections in violation were 16-18 (C) (D) responsibility for containers; 16-46, 16-47, 16-48 (12) nuisance as a condition; 16-46, 16-47, 16-48 (1) (5) outside storage.

Margaret Arraiz read the Facts of the Case. The case was initiated on September 27, 2012 and came before the Code Board on November 14, 2012; at which time the Code Board gave the property owner 5 days to comply or be fined \$250.00 per day. An inspection was made on November 30, 2012, the property was not in compliance and the fine began. On February 11, 2013 the lien was recorded. On February 11, 2014 an inspection was made and the property was now in compliance and the fines stopped. The total amount of the lien is \$109,540.00 which includes \$40.00 recording fees. On February 19, 2014 Staff received a request from Mr. Garcia requesting that we waive the entire amount. Staff scheduled his request to be presented to the Board this date. His letter did not provide any information on why the City should consider his request; therefore, Staff has not made a recommendation at this time

Chairwoman Misty Minton asked about the number of prior violations and Margaret Arraiz explained that this is a piece of commercial property located on US 1 and over the years there has been multiple violations from business tax receipts to outside storage; that there has been repetitive violations basically because it is a strip location with multiple units.

Juan E. Garcia was sworn in for testimony. Mr. Garcia stated that he thinks the whole issue has been a language barrier between himself and Officer Shaun Coss. Mr. Garcia stated that he would periodically receive a notice and he would address the problems. His biggest mistake was not keeping record of when Officer Coss indicated that the property was in compliance.

Chairwoman Minton asked Mr. Garcia how long he has owned the business and if he owned other properties in the city limits? He stated that it has been about 7 years and although he did not own any other commercial

properties he did have a couple of residential pieces. She then asked who oversees his property since he resides in Bradenton and how often he visits Ft. Pierce. He stated that it was his tenants and lately it has been every month but prior to that it was only every 3 months or so.

Chairwoman Minton thanked Mr. Garcia and asked if the City had any questions of Mr. Garcia. There was none. The City was asked to present their side.

Officer Coss stated that this case was the last case of the continual issue that has been happening over the years. The biggest tenant in the plaza is Dominos but there was a produce market in the plaza also. The biggest issue was that we were continually getting complaints from a neighboring property that the dumpster was always open and putting off a horrific odor. There were previous cases of which I would call Mr. Garcia and tell him what was in violation; he would then call me and tell me that the violation had been corrected; however, by the time I got out there the property would be in violation again. There was never two days in a row that the violation wasn't there. That's when the fines were started.

Chairwoman Minton asked if the Board had any questions of Officer Coss. There were none, but Chairwoman Minton asked if the property was currently in compliance. Mrs. Arraiz stated that it was in compliance when the paperwork was processed but for today she didn't know its current condition. Chairwoman Minton then asked about the consistency in compliance. Officer Coss stated that there was no consistency in the time frame and that it was quite a time frame where he did not hear from Mr. Garcia.

She then asked if the Board had any questions. Al Bernetti asked if he had a clause in his lease with the tenants that they had to maintain the property. He also questioned why Mr. Garcia did not have a manager locally to look out for his interest. Mr. Garcia said he does have the clause in the lease for the long term tenants but not on the month to month tenants. John George asked Mr. Garcia what process is in place to keep the property clean now. Mr. Garcia said he was closer to the property.

Mike Monti said he would rather leave it as is and if we don't have any further issues within the next 6 months, we have established a pattern and we could meet again to reduce the lien.

The Code Enforcement Board discussed the seven criteria outlined in Rule 17 – lien reduction requests. It states the petitioner should state reasons for why there should be consideration for reduction including any documentation supporting the reason for the request. She said the next step is to adopt a motion as to whether the request would be denied, granted, or granted with conditions.

Al Bernetti asked if we could make a motion that it would be reduced to \$5000.00 if the property remained in compliance for 6 months.

Chairwoman Minton said this is a recommendation to the City and therefore we can recommend whatever but that doesn't mean the City will accept it and so whatever recommendation we make needs to be something that they would accept.

Motion by John George and seconded by Al Bernetti based on Rule 17 with a stipulation that after 6 months of continued compliance the lien of \$109,540.00; be reduced to \$5000.00. Chairwoman Minton asked if there was any discussion on the motion. Margaret Arraiz asked if it falls out of compliance within those 6 months what would be the action. John George said it would go back to the original amount. Margaret Arraiz asked Mr. Walker if the actual reduction would take place after 6 months and he said yes. So in September the reduction would become effective. If there is a violation within that time frame, it would revert back to the original value. There would then be an initiation of another violation proceeding.

Terry Wolters said he thought the request should be denied until Mr. Garcia could come back and say it is in compliance and I now have a reason to request a reduction.

There being no further discussion a vote was taken. There were 3 votes for: Board Members Bernetti, Monti and Vice Chair George. There were 3 votes against: Board Members Murphy, Wolters, and Chairwoman Minton. The motion was denied. Chairwoman Minton asked for another motion.

Mike Monti made a motion and was seconded by Terry Wolters that based on Rule 17 that the request for reduction of lien in the amount of \$109,540.00 requested by Juan E. Garcia be denied and remain at its current amount. Mike Monti stated that he believed this was the way to go and once he has shown the property to remain in compliance he could request to come back before us. There being no further discussion a vote was taken and Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George and Chairwoman Minton were in favor and the motion carried; none opposed.

Margaret Arraiz reminded the Board that the recommendation for denial still had to go before the City Commission. Chairwoman Minton stated to Mr. Garcia that he would have to go before the City Commission and they may decide to reduce it. The request has been denied but he does have the right to come back before the Board and make another request once the property is maintained and continue to stay in compliance.

Item 5B-9 is case #11-0202; the property address is 5496 Altman Road, Ft. Pierce, FL. The current owner is Mariner Cove Fort Pierce LTD, 2379 Beville Rd., Daytona Beach, FL. The code sections in violation were 22-187 (13) landscape maintenance.

Margaret Arraiz presented the Facts of the Case. The case was initiated February 15, 2011, came before the Code Board on May 11, 2011. The Code Board found the property owner was in violation and gave them 30 days to comply or a fine of \$100.00 per day would be assessed. An inspection was made on June 14, 2011 and the property was not in compliance and the fines began. A lien was recorded on August 12, 2011. On February 11, 2013 an inspection was made, the property was in compliance and the fines stopped. The total amount of fines is \$60,840.00 which includes \$40.00 recording fees. Staff received a letter from Mr. Scott DeLanoy requesting reduction on February 14, 2014. Based on the gravity of the situation Staff has come to agreement of covering the administration costs of \$2300.00 payable in 60 days.

Scott C. DeLanoy was sworn in for testimony. Mr. DeLanoy stated that he was hired by Mariner Cove Fort Pierce LTD and he has been hired to act as manager for the site. As for the reduction request they are in control of the maintenance now and have hired them to continue with it until the project is developed. They will pay the costs and hopefully that will suffice.

Chairwoman Minton asked if the Board had any questions. Geraldine Murphy asked if they mow every 60 days or do they go by and see what needs to be done. Mr. DeLanoy said it's whatever needs to be done. No further comments the public part of hearing was closed and Chairwoman Minton asked for any discussion of the Board. No further discussion.

Motion was made by John George and seconded by Terry Wolters that the Board recommend to the City Commission to reduce the lien from \$60,840.00 to \$2,300.00 payable in 60 days. Failure to do so, lien would revert back to its original amount. This motion is based on the 7 criteria of Rule 17 of the Rules & Procedures.

There being no further discussion a vote was taken and all Board Members present were in favor and the motion carried.

Item 5B-7 is Case # 98-0283, 118 N 11th Street, Ft. Pierce, FL. The property was owned by Dan Williams, 4904 Evergreen Avenue, Ft. Pierce, FL and currently owned by Michele Mayhew, 118 N. 11th Street, Ft. Pierce, FL. The code sections in violation were 5-368 property maintenance.

Margaret Arraiz presented the Facts of the Case. The case was initiated on January 14, 1998 and came before the Code Enforcement Board on June 10, 1998. The Code Enforcement Board gave the property owner 50 days to comply or a fine \$50.00 per day would be assessed. An inspection was made on August 10, 1998, the property was not in compliance and the fines began. A lien was recorded on December 7, 1998. An inspection was made January 23, 1999 and the property was now in compliance. The fines stopped. The total amount of lien is \$8,800.00. Staff received a request for reduction from Michele Mayhew on January 13, 2014. Margaret Arraiz spoke with Ms. Mayhew prior to the hearing. There are extenuating circumstances and the Staff is in agreement to waive all costs.

Assistant City Attorney Walker made a disclosure that Ms. Mayhew is a previous client.

Michele Mayhew was sworn in for testimony.

Chairwoman Minton asked Ms. Mayhew to explain about the property and the fact that she did not know about the lien on the property.

Michele Mayhew stated that when she bought the property, she was told there were no liens. Then she came to the city to get a permit and learned at that time that there was an \$8,800.00 lien on the property. She made repairs to the house and brought proof of supplies she had purchased to make the repairs. She explained that it was taking a while to get it done but she was working on it by herself with very little help. She explained that this is her home and she is maintaining it to the best of her ability.

Chairwoman Minton asked if there were any questions of the City and the Board. There was none from the City; however, John George asked if she was going to keep it in compliance. She stated that she was doing the best that she could.

Chairwoman Minton closed the public portion of the request and asked if there was any discussion from the Board. There being none a motion was asked for.

Motion by John George and seconded by Al Bernetti that the Board recommends the reduction of the lien of \$8,800.00 be reduced to \$.00. This recommendation was based upon Rule 17 of the Rules & Procedures. There being no further discussion a vote was taken Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George and Chairwoman Minton were in favor and motion carried; none opposed.

The next item on the agenda is New Violation Cases.

Item 5A-1 is Case #13-2317. Officer Shaun Coss read in the case. The location address is 1112 Beach Court. The current owners are David & Alane Luke, 1112 Beach Court, Ft. Pierce, FL 34950. The code section(s) in violation are 22-25 (b) (3) (e) (1) single family intermediate density zone (R-2). The case was initiated November 26, 2013. He explained that there are two containers on the property that are in violation of the city code. Pictures were submitted and marked as exhibits.

Chairwoman Minton asked if these were cargo containers that go on a ship or a train. Officer Coss said that is what they appear to be; that only the front corner is visible from the street. She asked if these containers were allowed or anything that someone could do to allow them and Officer Coss said if they were there temporarily they could apply for a temporary use but it must meet certain requirements and regulations. If it was there permanently, they would have to apply for a permit meeting all the necessary requirements.

Chairwoman Minton asked if there were any further testimony from the City and if the Board had any questions of the City as to the initial testimony. John George asked Officer Coss when he last checked the property and he replied yesterday.

David Luke came forward and stated he was here for discovery and seeking to have communication and that he does not take oaths, especially oaths under duress. Mr. Luke claimed that if he did not show up for the hearing, further action would be taken against him by the City.

Chairwoman Minton asked Assistant City Attorney Walker how to proceed with this case. Mr. Walker stated that the respondent is required to take an oath if he is going to present factual testimony. If the respondent does not take the oath his testimony will not be treated as factual evidence but as argument and the Board may give that such weight as it wishes under the circumstances. He can say the things he wishes to say, however, it's not given the full force of fact as it would be given as formal evidence.

Mr. Luke asked Officer Coss when he discovered the containers and how the information came to him? Officer Coss explained that he learned of them November 15, 2013 from a complaint not specific to the containers but specific to getting Hibiscus Park cleaned up. Officers did a street by street inspection of the entire area. Mr. Luke asked if the complaint came from Cairo Venegas from Ft. Pierce Authority. Officer Coss said no, it came from Cecilia DeFilipas from Hibiscus Park Association. Mr. Luke gave his explanation on how the containers came to be exposed. He explained that the containers have been there since the hurricanes and since his parents sold their property. He asked that the code specific to the containers and specific to the violation be read out loud. Officer Coss read codes 22-25 (b) (3) (e) out loud. Mr. Luke asked if he could read his list of questions to the board stating he has no answers to his questions and he requests the answers to enable him to come to the board and have a discussion about the issues Officer Coss claims he is in violation of.

Chairwoman Minton asked if City had received this list of questions and Mrs. Arraiz stated a Public Records Request had been submitted to the City Clerk's office and we provided the information requested in regards to code enforcement. We have not been informed of whether the City Clerk's office sent the information to Mr. Luke.

Chairwoman Minton stated that our job is to help the City stay in compliance and asked Mr. Luke if he understood what the problem is about the two cargo containers. Mr. Luke said no and that is the reason he asked for clarity and asked that the hearing be tabled until he can have answers to his questions.

Chairwoman Minton asked Mr. Walker to give some direction on when someone requests that an item be tabled. Mr. Walker responded by reading Rule 10 on continuance. The proper procedure was not done and

therefore it is not recommended to continue this hearing. She did ask Mr. Luke if he received the Notice of Hearing and he did receive it but did not receive the answers to his questions and clarity of the violations.

Chairwoman Minton asked if there were any questions from the Board. Al Bernetti asked how long Mr. Luke has lived in the city and he stated 10 to 12 years. She then asked Officer Coss if there was anything specific in the code that says cargo containers are not allowed or is it just that unanchored storage containers are not allowed. Officer Coss explained that there was no explicit prohibition; there is a table that is rather lengthy that shows what uses are permitted in zoning but every item cannot be addressed in this code. Mrs. Arraiz stated that Chapter 22 lists what uses are allowed and if it's not listed as allowed it is prohibited. Mr. Walker asked a question about it being an accessory structure. Mrs. Arraiz stated that if it was used temporarily for storage they listed what temporary uses were allowed and if it was determined as being put in as a replacement for a shed they listed what permanent uses were allowed. Mr. Walker asked Officer Coss to put up on the screen those two provisions. Mrs. Arraiz read Section 22-65 regarding temporary uses and that Mr. Luke's containers do not fall under this description. She then read the definition of an accessory use and explained that the chart that was mentioned earlier was a part of an amendment to this section. Al Bernetti asked Officer Coss whether a temporary structure or an accessory building would have to be submitted to the building department. Officer Coss responded yes and it would also have to go to Planning and Zoning Department to make sure that it was an approved use. Mr. Bernetti asked if a red flag would have come up 10 years ago if he had gotten a permit and Officer Coss said yes. Mr. Luke stated that there was a waiver from all aspects following the hurricane dilemma of buildings and structures necessary to help facilitate the rebuilding of the damages done by the hurricanes. Geraldine Murphy asked Mr. Luke why he still had the containers 10 years later if they were supposed to help facilitate the rebuilding of his property after the hurricanes stating the waiver has already passed. Mr. Luke responded by asking the Board to observe what they are reading in its entirety and not to pick out certain parts and that he would not answer any more questions until he has had his notice fulfilled.

Mr. Walker asked Staff if the issue comes down to failure to have a permit for an accessory structure which section of the code imposes the permitting requirement? Mrs. Arraiz stated that the code section is 5-1.105 permits (1) and read it to the Board. Mr. Walker's follow up question was he charged with a violation of that section and Mrs. Arraiz stated that he was not.

Chairwoman Minton stated that we were not there to consider permitting but to consider what the violations were that was being brought before the Board. She asked if the items did come in after the hurricanes were there anything in the code that said temporary containers could stay there. Mrs. Arraiz said she would have to refer that question to the Building Department. She asked City to state specifically what Mr. Luke is being cited with and Mrs. Arraiz said he was being cited as a zoning code violation because it does not comply with the temporary use or the accessory buildings part of the Planning & Zoning code. Mr. Luke asked that the City read Section 22-65 in its entirety regarding temporary uses. Chairwoman Minton asked if the City would put it up on the screen. Mrs. Arraiz stated that Mr. Luke was cited under 22-25 (b) sub-sections d & e. She stated that the problem the City is having is that between now and the time we issued the notice of violation the code section was amended. Mr. Bernetti asked Mr. Luke if he had a survey verifying the property measurement. Mr. Luke said he had the property surveyed and staked and gave a 10' buffer in order to comply and asked if someone in the chambers would go and do the survey and Mr. Bernetti said they were not engineers. Mr. Walker said if the charge is a violation of setback the City has a duty of producing evidence of the set back and the distance to establish the violation.

Chairwoman Minton asked if the City had anything further. Margaret Arraiz stated that the City was going to request to continue this until the next hearing, amend the notice of violation to remove the setback but include the failure to obtain a permit. Mr. Walker stated if the citation is insufficient because it does not refer to the appropriate sections dismissal is appropriate, not continuance. They can then re-file. Mrs. Arraiz clarified that due to the amendment of the code section, the Board could dismiss this or we can withdraw and we can reissue a new notice of violation using the newly adopted code as well as the one we failed to include.

Chairwoman Minton asked for a motion. John George made a motion to dismiss the case and there being no second the motion failed. A second motion was made by Terry Wolters to allow the City to withdraw the case at this time without prejudice. Mike Monti seconded the motion. Chairwoman Minton asked for discussion and Al Bernetti asked if we could continue this. Mr. Walker stated the City has the desire to re-charge the violator and the appropriate remedy would be to dismiss or withdraw the current petition not to continue it. There being no further discussion a vote was taken. All Board Members present were in favor and the motion carried.

The next item on the agenda is a **Request for Reduction of Lien.**

Item 5B-8 is case # 01-410 & #01-1000; 2604 Avenue, Ft. Pierce, FL. The previous owner was Mary S. Marshall, 2604 Avenue E, Ft. Pierce, FL and currently owned by P. Serge Camille, 4560 NW 49th Court, Coconut Creek, FL. The code section in violation was 16-48 (1) (5) for outside storage.

Margaret Arraiz read the Facts of the Case. The case was initiated February 27, 2001 and came before the Code Enforcement Board on June 19, 2001. The Code Enforcement Board gave the property owner 10 days to comply for be fined \$25.00 per day not to exceed \$1000.00. An inspection was made on July 2, 2001 and the property was not in compliance; the fines began. On August 11, 2001 the fines were stopped at \$1000.00. A lien was recorded on July 12, 2001. On February 21, 2014 the City received a lien reduction request from Mr. Camille. Mr. Camille purchased the property at a tax sale and due to the fact there are thousands of dollars he has to deal with in lot clearing and demolition liens the City is willing to waive the \$1000.00 lien.

Serge Camille was sworn in for testimony. He stated the lien was on the property before he bought it and did not do a search on it. He stated he has not done any improvements because it is vacant land and the value is decreased.

Chairwoman Minton asked Mrs. Arraiz if Mr. Camille is responsible for the lot clearings and the demolitions and she stated he is. She then asked Mr. Camille how many pieces of property he purchased from the city and he stated four and all four has liens. She then asked Mr. Camille if he resided in Coconut Creek and how often he comes to Ft. Pierce. He stated he could come up every 3 or 4 weeks to make sure everything is kept up.

Chairwoman Minton asked if the City had any questions of Mr. Camille and if the Board had any questions of Mr. Camille or the City and neither did. She asked for any discussion. There being no discussion he asked for a motion.

Michael Monti made a motion to reduce the lien in the amount of \$1000.00 to \$0. This is based on Rule 17 of the Rules of Procedure. Terry Wolters seconded the motion.

Chairwoman Minton asked if there were any discussions and Geraldine Murphy asked what the date of purchase was and if the violation letters had gone to him. Mrs. Arraiz stated that the current owner received 6 lot clearing notices which were complied. Mr. Camille is here because we learned he is the new owner and we sent a reminder letter to him notifying him there was a lien on the property. Upon receipt of this letter he came in and asked to resolve all of the property problems. When he received the lot clearing notices, he cut the grass and came into compliance. He did not know about the 2001 lien against the property.

After no further discussion a vote was taken; all Board Members present were in favor and the motion carried. Chairwoman Minton reminded Mr. Camille that it would now go to the City Commission for final approval.

The next item on the agenda is a **Review & Determination.**

Item 5A-2 is case # 13-2347; 2305 Delaware Avenue, Ft. Pierce, FL owned by Brian Teller, 2305 Delaware Avenue, Ft. Pierce, FL for code section(s) 5-368 (4) property maintenance, 5-371 exterior property maintenance, 16-46, 16-47, 16-48 (1) (5) outside storage, 11-11 storage of commodities, and 16-46, 16-47, 16-48 (10) (D) outside storage.

There were no questions or discussions.

A motion was made by Michael Monti and seconded by Terry Wolters that the Code Board find the violator to have been in violation of code section(s) 5-368 (4), 5-371, 16-46, 16-47, 16-48 (1) (5), 11-11 and 16-46, 16-47, 16-48 (10) (D) but that the violations has been cured as of the date of this hearing. The violators shall be warned that if these violations reoccur, pursuant to Florida Statute 162.09, the Code Officer may notify the Code Board and request that a fine be entered

There was no discussion from the Board.

A vote was taken and all in favor were Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George, and Chairwoman Minton. Those opposed: none.

The next item on the agenda was **Violation Cases With No One Present.**

Item 5B-3; case # 14-0010; 123 S 8th Street, Ft. Pierce, FL 34950 owned by Joseph Lloyd, 58 Somers Street, Brooklyn, NY 11233. The code sections in violation are 22-26 (E) (4) open space character.

Item 5B-4; case # 14-0240; 2512 Avenue J, Ft. Pierce, FL owned by Jessie McMinns, 2260 NW 52nd Street, Miami, FL 33142. The code sections in violation are 5-369 vacant buildings.

Item 5B-6; case # 14-0252; 1706 Avenue D, Ft. Pierce, FL owned by Ng Lai Kwan (Tr), 6542 Hypoluxo Rd, #328, Lake Worth, FL 33467. The code sections in violation are 15-5 (7) signs prohibited.

There was no discussion from the Board.

A motion was made by Mike Monti and seconded by Terry Wolters that the Board find a violation does exist and the violators that are not present are deemed to have admitted guilt. It was further moved that they be given the number of days recommended by the Code Enforcement Officer on the case summary sheet to come into compliance or they be fined the amount also shown on the summary sheet.

A vote was taken and all Board Members present were in favor.

The next items on the agenda are **Old Business & New Business Combined.**

Chairwoman Minton asked if the Board was satisfied with the new minute's format. All were satisfied however she asked for a snippet of what the violations were and Margaret Arraiz said we could do that and further stated that we were going to try the new Agenda Quick for the next meeting in May and that everything will be available on line. She stated that the minutes will also be available on line along with the audio tapes.

Mr. Walker asked about the program Dragon which is a program that automatically transcribes and Mrs. Arraiz stated that we had no knowledge of that program. Geraldine Murphy stated that they use it at their community but there are problems with it because it does not record exactly what happens.

John George asked about the signage that the Code Enforcement Board is doing something with. Mrs. Arraiz said this is something they are working on rewriting the sign ordinance, it is on the bottom of the list due to the Commissioners moratorium but we want to rewrite it to be more business friendly. Mr. George also asked about the CPTED and she said the resolutions are here and close to going to legal for review.

Margaret Arraiz asked if the Board wanted to ask the attorney about amending the 7 Criteria for considering in making a lien reduction to make them more user friendly and provide you with better information. Mr. Walker stated that those factors are in there because they are in the statute. Mrs. Arraiz stated that the 3 are in the statute but not all 7. Mr. Walker asked Mrs. Arraiz to send a memo and he could draft something for the Board to consider. The Board did agree that this would be helpful in determining their recommendations.

Mr. George mentioned that Mr. Scott had resigned and Chairwoman Minton asked that the City write him thanking him for his service.

Margaret Arraiz stated that the July hearing will be cancelled and the next meeting after May will be in September.

Misty Minton reminded the Board that the next meeting would be May 14, 2014.

There being no further business, Chairwoman Minton declared the meeting adjourned.

Meeting adjourned at 11:30 AM.

ATTEST:


SECRETARY TO THE CODE BOARD


CODE ENFORCEMENT MANAGER

A Taped Recording of this Meeting has been saved.

City Commission Regular Meeting

Agenda Item # 9. h.

Meeting Date: 04/07/2014

Re: Lien Reduction Request - 118 N. 11th Street

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Waive Code Enforcement Lien in the amount of \$8,800.00 against 118 N. 11th Street, owned by Michele Mayhew.

SUMMARY:

Staff and the Code Enforcement Board recommend the City Commission waive all fines, totalling \$8,800 against 118 N 11th Street based upon the following:

- Ms. Mayhew purchased the property from a friend who told her that no liens existed on the property.
- Ms. Mayhew corrected the violation and continues to maintain the property in compliance.
- There have been no further violations on the property since it was purchased by Ms. Mayhew in 2003.

RECOMMENDATION:

Staff and Ft. Pierce Code Enforcement Board recommends waiving all costs.

ALTERNATIVES:

1. Deny the request.
2. Make an alternative recommendation.

RESPONSIBLE STAFF:

Colleen Greer, Executive Assistant

COORDINATED WITH:

Margaret M. Arraiz, Code Compliance Manager

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Breakdown

Reduction Request

Tax Card

Minutes

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: CODE ENFORCEMENT LIEN REDUCTION
118 N 11th St, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Costs (General Fund) | Interest & Penalties | Administrative Fees |
|----------------|----------------------|----------------------|---------------------|
| CASE # 98-0283 | \$8800.00 | \$.00 | \$.00 |
| | | | |
| | | | |
| TOTAL | \$8800.00 | \$.00 | \$.00 |

CAN BE WAIVED (ALL COSTS)

\$8800.00



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A REDUCTION OR RESCINDMENT OF CODE ENFORCEMENT FINES / LIENS

| | | | | | |
|--|---|--|---|-------------------------------------|-------------------------------------|
| Date: | January 13, 2014 | | | | |
| Property address: | 118 N. 11 th St. | | | | |
| Owner(s) of record: | Michele Mayhew (Wm. E. Mayhew Jr. / deceased) | | | | |
| Mailing address: | same as above | | | | |
| Property tax ID #: | 2409-519-0011-000-4 | | | | |
| Original purchase date: | 1-3-2003 | Original purchase price: | \$26,500.00 @ .10% | | |
| Other Information: | <input type="checkbox"/> Inherited Property | <input type="checkbox"/> Purchased at Tax Sale | <input type="checkbox"/> Adjoining Property Owner | | |
| Property is used for: | <input checked="" type="checkbox"/> Single Family | <input type="checkbox"/> Multi-family | <input type="checkbox"/> Commercial | <input type="checkbox"/> Industrial | <input type="checkbox"/> Vacant Lot |
| Name of person requesting reduction: | Michele Mayhew | Relationship to owner(s): | self | | |
| Telephone #: | 772-464-1830 | Mobile phone #: | 772-332-8663 | | |
| E-mail: | N/A | Preferred contact method: | cell phone (mobile) | | |
| What are owner(s) intentions for property: | residence | | | | |
| Amount of Fine: | \$ 8800.00 | Date Fine Initiated: | 1-23-1999 | | |
| Are there current code violations? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | Explain: (please attached notice) | | |
| Is a lien filed against the property? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | If yes, what is the lien amount? 8800.00 | | |
| Is property listed for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is listing price? | | |
| Is property under contract for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is the sale price? | | |

AMOUNT OF FINE / LIEN

\$ 8800.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 8800.00

DOLLAR AMOUNT I AGREE TO PAY

\$ _____

If the city waives any fees, interest, penalties, fine or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Board, Magistrate or Commission's decision unless an alternate time frame is specified in the motion.

will need different time frame if necessary

Michele Mayhew
(Signature of Owner or Representative)

Michele Mayhew
(Printed Name)



CITY OF FORT PIERCE
DIVISIONS OF CODE ENFORCEMENT
& ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 118 N. 11th St.

Property Owner: Michele Mayhew

Mailing Address: same above

Telephone #: 772 464 1830 Cell Phone #: 772-332-8663

E-Mail Address: N/A

Is the property in compliance? Yes If no, please explain _____



CITY OF FORT PIERCE
DIVISIONS OF CODE ENFORCEMENT
& ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, Michele Mayhew, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

My husband and I (he's now deceased since May 30, 2003) were coerced to buy property; by our situation, knowing little or nothing about real estate, liens, title searches, etc. and believing the seller Mr. H. Rochester, we blindly signed the papers, We thought he was truthful when he said there are no liens, (we didn't know or have reason to believe differently) Inadvertently, the 'lien of \$8000' was discovered to me by Colleen Greer, December 2013, by phone.

I have physical disabilities now, and am on a fixed income. My physical makes me s-t o-w walking, painful, and hard to use ladders, a necessity at my 2-story dwelling. Yet I manage.

Date: 1-13-2014

Signed: Michele Mayhew
Print Name: Michele Mayhew
Michele Mayhew

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority MICHELE MAYHEW who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced FL DL M000-553-47-788-0 as identification.

SWORN TO AND SUBSCRIBED before me this 27 day of January, 2014.



Margaret M. Arraiz
Notary Public, State of Florida

PROPERTY RECORD CARD

Michele Mayhew Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 118 11th St
 Sec/Town/Range: 09 :35S :40E
 Map ID: 24/09N
 Zoning: R4

ParcelID: 2409-519-0011-000-4
 Account #: 148398
 Use Type: SF Res
 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Michele Mayhew
 Address: 118 N 11th St
 Fort Pierce FL 34950-8818

Legal Description

KILLER'S S/D LOT 11 (OR 1636-2427)

Sales Information

Date: 1/3/2003
 Price: 26500
 Code: 00
 Deed: WD

Book/Page: 1636 / 2427

Assessment 2013
 2013 Final: 11100
 Assessed: 11100
 Ag Credit: 0
 Exempt: 11100
 Taxable: 0
 Taxes: 0

Total Land and Building
 Land Value: 4400 Acres: 0.19
 Building Value: 6700
 Finished Area: 756 SqFt

BUILDING INFORMATION



Exterior Features

View: - RoofCover: RC - Roll Comp RoofStruct: GA - Gable
 ExtType: HD - HD YearBlt: 1940 Frame: -
 Grade: D - D EffYrBlt: 1945 PrimeWall: WS - Wood/Sheath
 StoryHght: 0020 - 2 Story No.Units: 1 SecWall: -

Interior Features

BedRooms: 2 Electric: AV - AVERAGE PrmIntWall: PN - PN
 FullBath: 1 HeatType: - AvgHt/Ft: -
 1/2Bath: 0 HeatFuel: - Prm.Flors: DP - Double Pine
 %A/C: 0 %Heated: 0 %Sprinkled: 0

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|--------|-----|-------------|--------------|---------|-------|
| | | | | | | | 1 | 0100-SF Res | BI -Front Ft | 55 | 150 |

Land Information

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

**MINUTES
CODE ENFORCEMENT BOARD
CITY OF FORT PIERCE
100 NORTH U.S. # 1
FORT PIERCE, FL 34950
MARCH 12, 2014**

Chairwoman Misty Minton called the meeting to order at 9:02 AM.

All present stood for the Pledge of Allegiance.

The role was called. Those present were Chairwoman Misty Minton, Vice Chair John George, Board Members Michael Monti, Geraldine Murphy, Terry Wolters, and Al Bernetti

Roderick Wallers called in January informing secretary that he would not be able to attend. Geraldine Murphy moved to excuse Mr. Waller's absence. Terry Wolters seconded the motion. A vote was taken and it was unanimous. Donald Scott had called in and said he would have to resign due to illness. Chairwoman Minton asked Code Compliance Manager Margaret Arraiz to send a letter thanking him for his service.

The next item on the Agenda was Approval of the Minutes of the meeting held on January 8, 2014.

Motion was made by John George and seconded by Geraldine Murphy to approve the Minutes of the meeting on January 8, 2014.

Those voting in favor of the motion were: Board Members Monti, Murphy, Wolters, Bernetti, Vice Chair George, and Chairwoman Minton. Those opposed: none.

Chairwoman Misty Minton welcomed Al Bernetti to the Code Enforcement Board. Margaret Arraiz stated that we are still looking for an alternate.

Margaret Arraiz introduced the two new Code Officers Isaac Saucedo, and Terry Denmark.

The next item on the agenda was the swearing in of the code officers: Code Compliance Manager Margaret Arraiz, Code Officers Shaun Coss and Terry Denmark.

Staff members present were Code Enforcement Board Secretary Colleen Greer, Assistant City Attorney James Walker and Officer Cheryl Glenn-Reed.

The next item on the agenda was Lien Reduction Requests.

Item 5B-10 is case # 12-1659; property address is 2729 S US Highway 1, Ft. Pierce, FL. The current owner is Juan E. Garcia, 4010 62nd Terrace East, Bradenton, FL 34203-7043. The code sections in violation were 16-18 (C) (D) responsibility for containers; 16-46, 16-47, 16-48 (12) nuisance as a condition; 16-46, 16-47, 16-48 (1) (5) outside storage.

Margaret Arraiz read the Facts of the Case. The case was initiated on September 27, 2012 and came before the Code Board on November 14, 2012; at which time the Code Board gave the property owner 5 days to comply or be fined \$250.00 per day. An inspection was made on November 30, 2012, the property was not in compliance and the fine began. On February 11, 2013 the lien was recorded. On February 11, 2014 an inspection was made and the property was now in compliance and the fines stopped. The total amount of the lien is \$109,540.00 which includes \$40.00 recording fees. On February 19, 2014 Staff received a request from Mr. Garcia requesting that we waive the entire amount. Staff scheduled his request to be presented to the Board this date. His letter did not provide any information on why the City should consider his request; therefore, Staff has not made a recommendation at this time

Chairwoman Misty Minton asked about the number of prior violations and Margaret Arraiz explained that this is a piece of commercial property located on US 1 and over the years there has been multiple violations from business tax receipts to outside storage; that there has been repetitive violations basically because it is a strip location with multiple units.

Juan E. Garcia was sworn in for testimony. Mr. Garcia stated that he thinks the whole issue has been a language barrier between himself and Officer Shaun Coss. Mr. Garcia stated that he would periodically receive a notice and he would address the problems. His biggest mistake was not keeping record of when Officer Coss indicated that the property was in compliance.

Chairwoman Minton asked Mr. Garcia how long he has owned the business and if he owned other properties in the city limits? He stated that it has been about 7 years and although he did not own any other commercial

properties he did have a couple of residential pieces. She then asked who oversees his property since he resides in Bradenton and how often he visits Ft. Pierce. He stated that it was his tenants and lately it has been every month but prior to that it was only every 3 months or so.

Chairwoman Minton thanked Mr. Garcia and asked if the City had any questions of Mr. Garcia. There was none. The City was asked to present their side.

Officer Coss stated that this case was the last case of the continual issue that has been happening over the years. The biggest tenant in the plaza is Dominos but there was a produce market in the plaza also. The biggest issue was that we were continually getting complaints from a neighboring property that the dumpster was always open and putting off a horrific odor. There were previous cases of which I would call Mr. Garcia and tell him what was in violation; he would then call me and tell me that the violation had been corrected; however, by the time I got out there the property would be in violation again. There was never two days in a row that the violation wasn't there. That's when the fines were started.

Chairwoman Minton asked if the Board had any questions of Officer Coss. There were none, but Chairwoman Minton asked if the property was currently in compliance. Mrs. Arraiz stated that it was in compliance when the paperwork was processed but for today she didn't know its current condition. Chairwoman Minton then asked about the consistency in compliance. Officer Coss stated that there was no consistency in the time frame and that it was quite a time frame where he did not hear from Mr. Garcia.

She then asked if the Board had any questions. Al Bernetti asked if he had a clause in his lease with the tenants that they had to maintain the property. He also questioned why Mr. Garcia did not have a manager locally to look out for his interest. Mr. Garcia said he does have the clause in the lease for the long term tenants but not on the month to month tenants. John George asked Mr. Garcia what process is in place to keep the property clean now. Mr. Garcia said he was closer to the property.

Mike Monti said he would rather leave it as is and if we don't have any further issues within the next 6 months, we have established a pattern and we could meet again to reduce the lien.

The Code Enforcement Board discussed the seven criteria outlined in Rule 17 – lien reduction requests. It states the petitioner should state reasons for why there should be consideration for reduction including any documentation supporting the reason for the request. She said the next step is to adopt a motion as to whether the request would be denied, granted, or granted with conditions.

Al Bernetti asked if we could make a motion that it would be reduced to \$5000.00 if the property remained in compliance for 6 months.

Chairwoman Minton said this is a recommendation to the City and therefore we can recommend whatever but that doesn't mean the City will accept it and so whatever recommendation we make needs to be something that they would accept.

Motion by John George and seconded by Al Bernetti based on Rule 17 with a stipulation that after 6 months of continued compliance the lien of \$109,540.00; be reduced to \$5000.00. Chairwoman Minton asked if there was any discussion on the motion. Margaret Arraiz asked if it falls out of compliance within those 6 months what would be the action. John George said it would go back to the original amount. Margaret Arraiz asked Mr. Walker if the actual reduction would take place after 6 months and he said yes. So in September the reduction would become effective. If there is a violation within that time frame, it would revert back to the original value. There would then be an initiation of another violation proceeding.

Terry Wolters said he thought the request should be denied until Mr. Garcia could come back and say it is in compliance and I now have a reason to request a reduction.

There being no further discussion a vote was taken. There were 3 votes for: Board Members Bernetti, Monti and Vice Chair George. There were 3 votes against: Board Members Murphy, Wolters, and Chairwoman Minton. The motion was denied. Chairwoman Minton asked for another motion.

Mike Monti made a motion and was seconded by Terry Wolters that based on Rule 17 that the request for reduction of lien in the amount of \$109,540.00 requested by Juan E. Garcia be denied and remain at its current amount. Mike Monti stated that he believed this was the way to go and once he has shown the property to remain in compliance he could request to come back before us. There being no further discussion a vote was taken and Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George and Chairwoman Minton were in favor and the motion carried; none opposed.

Margaret Arraiz reminded the Board that the recommendation for denial still had to go before the City Commission. Chairwoman Minton stated to Mr. Garcia that he would have to go before the City Commission and they may decide to reduce it. The request has been denied but he does have the right to come back before the Board and make another request once the property is maintained and continue to stay in compliance.

Item 5B-9 is case #11-0202; the property address is 5496 Altman Road, Ft. Pierce, FL. The current owner is Mariner Cove Fort Pierce LTD, 2379 Beville Rd., Daytona Beach, FL. The code sections in violation were 22-187 (13) landscape maintenance.

Margaret Arraiz presented the Facts of the Case. The case was initiated February 15, 2011, came before the Code Board on May 11, 2011. The Code Board found the property owner was in violation and gave them 30 days to comply or a fine of \$100.00 per day would be assessed. An inspection was made on June 14, 2011 and the property was not in compliance and the fines began. A lien was recorded on August 12, 2011. On February 11, 2013 an inspection was made, the property was in compliance and the fines stopped. The total amount of fines is \$60,840.00 which includes \$40.00 recording fees. Staff received a letter from Mr. Scott DeLanoy requesting reduction on February 14, 2014. Based on the gravity of the situation Staff has come to agreement of covering the administration costs of \$2300.00 payable in 60 days.

Scott C. DeLanoy was sworn in for testimony. Mr. DeLanoy stated that he was hired by Mariner Cove Fort Pierce LTD and he has been hired to act as manager for the site. As for the reduction request they are in control of the maintenance now and have hired them to continue with it until the project is developed. They will pay the costs and hopefully that will suffice.

Chairwoman Minton asked if the Board had any questions. Geraldine Murphy asked if they mow every 60 days or do they go by and see what needs to be done. Mr. DeLanoy said it's whatever needs to be done. No further comments the public part of hearing was closed and Chairwoman Minton asked for any discussion of the Board. No further discussion.

Motion was made by John George and seconded by Terry Wolters that the Board recommend to the City Commission to reduce the lien from \$60,840.00 to \$2,300.00 payable in 60 days. Failure to do so, lien would revert back to its original amount. This motion is based on the 7 criteria of Rule 17 of the Rules & Procedures.

There being no further discussion a vote was taken and all Board Members present were in favor and the motion carried.

Item 5B-7 is Case # 98-0283, 118 N 11th Street, Ft. Pierce, FL. The property was owned by Dan Williams, 4904 Evergreen Avenue, Ft. Pierce, FL and currently owned by Michele Mayhew, 118 N. 11th Street, Ft. Pierce, FL. The code sections in violation were 5-368 property maintenance.

Margaret Arraiz presented the Facts of the Case. The case was initiated on January 14, 1998 and came before the Code Enforcement Board on June 10, 1998. The Code Enforcement Board gave the property owner 50 days to comply or a fine \$50.00 per day would be assessed. An inspection was made on August 10, 1998, the property was not in compliance and the fines began. A lien was recorded on December 7, 1998. An inspection was made January 23, 1999 and the property was now in compliance. The fines stopped. The total amount of lien is \$8,800.00. Staff received a request for reduction from Michele Mayhew on January 13, 2014. Margaret Arraiz spoke with Ms. Mayhew prior to the hearing. There are extenuating circumstances and the Staff is in agreement to waive all costs.

Assistant City Attorney Walker made a disclosure that Ms. Mayhew is a previous client.

Michele Mayhew was sworn in for testimony.

Chairwoman Minton asked Ms. Mayhew to explain about the property and the fact that she did not know about the lien on the property.

Michele Mayhew stated that when she bought the property, she was told there were no liens. Then she came to the city to get a permit and learned at that time that there was an \$8,800.00 lien on the property. She made repairs to the house and brought proof of supplies she had purchased to make the repairs. She explained that it was taking a while to get it done but she was working on it by herself with very little help. She explained that this is her home and she is maintaining it to the best of her ability.

Chairwoman Minton asked if there were any questions of the City and the Board. There was none from the City; however, John George asked if she was going to keep it in compliance. She stated that she was doing the best that she could.

Chairwoman Minton closed the public portion of the request and asked if there was any discussion from the Board. There being none a motion was asked for.

Motion by John George and seconded by Al Bernetti that the Board recommends the reduction of the lien of \$8,800.00 be reduced to \$.00. This recommendation was based upon Rule 17 of the Rules & Procedures. There being no further discussion a vote was taken Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George and Chairwoman Minton were in favor and motion carried; none opposed.

The next item on the agenda is New Violation Cases.

Item 5A-1 is Case #13-2317. Officer Shaun Coss read in the case. The location address is 1112 Beach Court. The current owners are David & Alane Luke, 1112 Beach Court, Ft. Pierce, FL 34950. The code section(s) in violation are 22-25 (b) (3) (e) (1) single family intermediate density zone (R-2). The case was initiated November 26, 2013. He explained that there are two containers on the property that are in violation of the city code. Pictures were submitted and marked as exhibits.

Chairwoman Minton asked if these were cargo containers that go on a ship or a train. Officer Coss said that is what they appear to be; that only the front corner is visible from the street. She asked if these containers were allowed or anything that someone could do to allow them and Officer Coss said if they were there temporarily they could apply for a temporary use but it must meet certain requirements and regulations. If it was there permanently, they would have to apply for a permit meeting all the necessary requirements.

Chairwoman Minton asked if there were any further testimony from the City and if the Board had any questions of the City as to the initial testimony. John George asked Officer Coss when he last checked the property and he replied yesterday.

David Luke came forward and stated he was here for discovery and seeking to have communication and that he does not take oaths, especially oaths under duress. Mr. Luke claimed that if he did not show up for the hearing, further action would be taken against him by the City.

Chairwoman Minton asked Assistant City Attorney Walker how to proceed with this case. Mr. Walker stated that the respondent is required to take an oath if he is going to present factual testimony. If the respondent does not take the oath his testimony will not be treated as factual evidence but as argument and the Board may give that such weight as it wishes under the circumstances. He can say the things he wishes to say, however, it's not given the full force of fact as it would be given as formal evidence.

Mr. Luke asked Officer Coss when he discovered the containers and how the information came to him? Officer Coss explained that he learned of them November 15, 2013 from a complaint not specific to the containers but specific to getting Hibiscus Park cleaned up. Officers did a street by street inspection of the entire area. Mr. Luke asked if the complaint came from Cairo Venegas from Ft. Pierce Authority. Officer Coss said no, it came from Cecilia DeFilipas from Hibiscus Park Association. Mr. Luke gave his explanation on how the containers came to be exposed. He explained that the containers have been there since the hurricanes and since his parents sold their property. He asked that the code specific to the containers and specific to the violation be read out loud. Officer Coss read codes 22-25 (b) (3) (e) out loud. Mr. Luke asked if he could read his list of questions to the board stating he has no answers to his questions and he requests the answers to enable him to come to the board and have a discussion about the issues Officer Coss claims he is in violation of.

Chairwoman Minton asked if City had received this list of questions and Mrs. Arraiz stated a Public Records Request had been submitted to the City Clerk's office and we provided the information requested in regards to code enforcement. We have not been informed of whether the City Clerk's office sent the information to Mr. Luke.

Chairwoman Minton stated that our job is to help the City stay in compliance and asked Mr. Luke if he understood what the problem is about the two cargo containers. Mr. Luke said no and that is the reason he asked for clarity and asked that the hearing be tabled until he can have answers to his questions.

Chairwoman Minton asked Mr. Walker to give some direction on when someone requests that an item be tabled. Mr. Walker responded by reading Rule 10 on continuance. The proper procedure was not done and

therefore it is not recommended to continue this hearing. She did ask Mr. Luke if he received the Notice of Hearing and he did receive it but did not receive the answers to his questions and clarity of the violations.

Chairwoman Minton asked if there were any questions from the Board. Al Bernetti asked how long Mr. Luke has lived in the city and he stated 10 to 12 years. She then asked Officer Coss if there was anything specific in the code that says cargo containers are not allowed or is it just that unanchored storage containers are not allowed. Officer Coss explained that there was no explicit prohibition; there is a table that is rather lengthy that shows what uses are permitted in zoning but every item cannot be addressed in this code. Mrs. Arraiz stated that Chapter 22 lists what uses are allowed and if it's not listed as allowed it is prohibited. Mr. Walker asked a question about it being an accessory structure. Mrs. Arraiz stated that if it was used temporarily for storage they listed what temporary uses were allowed and if it was determined as being put in as a replacement for a shed they listed what permanent uses were allowed. Mr. Walker asked Officer Coss to put up on the screen those two provisions. Mrs. Arraiz read Section 22-65 regarding temporary uses and that Mr. Luke's containers do not fall under this description. She then read the definition of an accessory use and explained that the chart that was mentioned earlier was a part of an amendment to this section. Al Bernetti asked Officer Coss whether a temporary structure or an accessory building would have to be submitted to the building department. Officer Coss responded yes and it would also have to go to Planning and Zoning Department to make sure that it was an approved use. Mr. Bernetti asked if a red flag would have come up 10 years ago if he had gotten a permit and Officer Coss said yes. Mr. Luke stated that there was a waiver from all aspects following the hurricane dilemma of buildings and structures necessary to help facilitate the rebuilding of the damages done by the hurricanes. Geraldine Murphy asked Mr. Luke why he still had the containers 10 years later if they were supposed to help facilitate the rebuilding of his property after the hurricanes stating the waiver has already passed. Mr. Luke responded by asking the Board to observe what they are reading in its entirety and not to pick out certain parts and that he would not answer any more questions until he has had his notice fulfilled.

Mr. Walker asked Staff if the issue comes down to failure to have a permit for an accessory structure which section of the code imposes the permitting requirement? Mrs. Arraiz stated that the code section is 5-1.105 permits (1) and read it to the Board. Mr. Walker's follow up question was he charged with a violation of that section and Mrs. Arraiz stated that he was not.

Chairwoman Minton stated that we were not there to consider permitting but to consider what the violations were that was being brought before the Board. She asked if the items did come in after the hurricanes were there anything in the code that said temporary containers could stay there. Mrs. Arraiz said she would have to refer that question to the Building Department. She asked City to state specifically what Mr. Luke is being cited with and Mrs. Arraiz said he was being cited as a zoning code violation because it does not comply with the temporary use or the accessory buildings part of the Planning & Zoning code. Mr. Luke asked that the City read Section 22-65 in its entirety regarding temporary uses. Chairwoman Minton asked if the City would put it up on the screen. Mrs. Arraiz stated that Mr. Luke was cited under 22-25 (b) sub-sections d & e. She stated that the problem the City is having is that between now and the time we issued the notice of violation the code section was amended. Mr. Bernetti asked Mr. Luke if he had a survey verifying the property measurement. Mr. Luke said he had the property surveyed and staked and gave a 10' buffer in order to comply and asked if someone in the chambers would go and do the survey and Mr. Bernetti said they were not engineers. Mr. Walker said if the charge is a violation of setback the City has a duty of producing evidence of the set back and the distance to establish the violation.

Chairwoman Minton asked if the City had anything further. Margaret Arraiz stated that the City was going to request to continue this until the next hearing, amend the notice of violation to remove the setback but include the failure to obtain a permit. Mr. Walker stated if the citation is insufficient because it does not refer to the appropriate sections dismissal is appropriate, not continuance. They can then re-file. Mrs. Arraiz clarified that due to the amendment of the code section, the Board could dismiss this or we can withdraw and we can reissue a new notice of violation using the newly adopted code as well as the one we failed to include.

Chairwoman Minton asked for a motion. John George made a motion to dismiss the case and there being no second the motion failed. A second motion was made by Terry Wolters to allow the City to withdraw the case at this time without prejudice. Mike Monti seconded the motion. Chairwoman Minton asked for discussion and Al Bernetti asked if we could continue this. Mr. Walker stated the City has the desire to re-charge the violator and the appropriate remedy would be to dismiss or withdraw the current petition not to continue it. There being no further discussion a vote was taken. All Board Members present were in favor and the motion carried.

The next item on the agenda is a **Request for Reduction of Lien.**

Item 5B-8 is case # 01-410 & #01-1000; 2604 Avenue, Ft. Pierce, FL. The previous owner was Mary S. Marshall, 2604 Avenue E, Ft. Pierce, FL and currently owned by P. Serge Camille, 4560 NW 49th Court, Coconut Creek, FL. The code section in violation was 16-48 (1) (5) for outside storage.

Margaret Arraiz read the Facts of the Case. The case was initiated February 27, 2001 and came before the Code Enforcement Board on June 19, 2001. The Code Enforcement Board gave the property owner 10 days to comply for be fined \$25.00 per day not to exceed \$1000.00. An inspection was made on July 2, 2001 and the property was not in compliance; the fines began. On August 11, 2001 the fines were stopped at \$1000.00. A lien was recorded on July 12, 2001. On February 21, 2014 the City received a lien reduction request from Mr. Camille. Mr. Camille purchased the property at a tax sale and due to the fact there are thousands of dollars he has to deal with in lot clearing and demolition liens the City is willing to waive the \$1000.00 lien.

Serge Camille was sworn in for testimony. He stated the lien was on the property before he bought it and did not do a search on it. He stated he has not done any improvements because it is vacant land and the value is decreased.

Chairwoman Minton asked Mrs. Arraiz if Mr. Camille is responsible for the lot clearings and the demolitions and she stated he is. She then asked Mr. Camille how many pieces of property he purchased from the city and he stated four and all four has liens. She then asked Mr. Camille if he resided in Coconut Creek and how often he comes to Ft. Pierce. He stated he could come up every 3 or 4 weeks to make sure everything is kept up.

Chairwoman Minton asked if the City had any questions of Mr. Camille and if the Board had any questions of Mr. Camille or the City and neither did. She asked for any discussion. There being no discussion he asked for a motion.

Michael Monti made a motion to reduce the lien in the amount of \$1000.00 to \$0. This is based on Rule 17 of the Rules of Procedure. Terry Wolters seconded the motion.

Chairwoman Minton asked if there were any discussions and Geraldine Murphy asked what the date of purchase was and if the violation letters had gone to him. Mrs. Arraiz stated that the current owner received 6 lot clearing notices which were complied. Mr. Camille is here because we learned he is the new owner and we sent a reminder letter to him notifying him there was a lien on the property. Upon receipt of this letter he came in and asked to resolve all of the property problems. When he received the lot clearing notices, he cut the grass and came into compliance. He did not know about the 2001 lien against the property.

After no further discussion a vote was taken; all Board Members present were in favor and the motion carried. Chairwoman Minton reminded Mr. Camille that it would now go to the City Commission for final approval.

The next item on the agenda is a **Review & Determination.**

Item 5A-2 is case # 13-2347; 2305 Delaware Avenue, Ft. Pierce, FL owned by Brian Teller, 2305 Delaware Avenue, Ft. Pierce, FL for code section(s) 5-368 (4) property maintenance, 5-371 exterior property maintenance, 16-46, 16-47, 16-48 (1) (5) outside storage, 11-11 storage of commodities, and 16-46, 16-47, 16-48 (10) (D) outside storage.

There were no questions or discussions.

A motion was made by Michael Monti and seconded by Terry Wolters that the Code Board find the violator to have been in violation of code section(s) 5-368 (4), 5-371, 16-46, 16-47, 16-48 (1) (5), 11-11 and 16-46, 16-47, 16-48 (10) (D) but that the violations has been cured as of the date of this hearing. The violators shall be warned that if these violations reoccur, pursuant to Florida Statute 162.09, the Code Officer may notify the Code Board and request that a fine be entered

There was no discussion from the Board.

A vote was taken and all in favor were Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George, and Chairwoman Minton. Those opposed: none.

The next item on the agenda was **Violation Cases With No One Present.**

Item 5B-3; case # 14-0010; 123 S 8th Street, Ft. Pierce, FL 34950 owned by Joseph Lloyd, 58 Somers Street, Brooklyn, NY 11233. The code sections in violation are 22-26 (E) (4) open space character.

Item 5B-4; case # 14-0240; 2512 Avenue J, Ft. Pierce, FL owned by Jessie McMinns, 2260 NW 52nd Street, Miami, FL 33142. The code sections in violation are 5-369 vacant buildings.

Item 5B-6; case # 14-0252; 1706 Avenue D, Ft. Pierce, FL owned by Ng Lai Kwan (Tr), 6542 Hypoluxo Rd, #328, Lake Worth, FL 33467. The code sections in violation are 15-5 (7) signs prohibited.

There was no discussion from the Board.

A motion was made by Mike Monti and seconded by Terry Wolters that the Board find a violation does exist and the violators that are not present are deemed to have admitted guilt. It was further moved that they be given the number of days recommended by the Code Enforcement Officer on the case summary sheet to come into compliance or they be fined the amount also shown on the summary sheet.

A vote was taken and all Board Members present were in favor.

The next items on the agenda are **Old Business & New Business Combined.**

Chairwoman Minton asked if the Board was satisfied with the new minute's format. All were satisfied however she asked for a snippet of what the violations were and Margaret Arraiz said we could do that and further stated that we were going to try the new Agenda Quick for the next meeting in May and that everything will be available on line. She stated that the minutes will also be available on line along with the audio tapes.

Mr. Walker asked about the program Dragon which is a program that automatically transcribes and Mrs. Arraiz stated that we had no knowledge of that program. Geraldine Murphy stated that they use it at their community but there are problems with it because it does not record exactly what happens.

John George asked about the signage that the Code Enforcement Board is doing something with. Mrs. Arraiz said this is something they are working on rewriting the sign ordinance, it is on the bottom of the list due to the Commissioners moratorium but we want to rewrite it to be more business friendly. Mr. George also asked about the CPTED and she said the resolutions are here and close to going to legal for review.

Margaret Arraiz asked if the Board wanted to ask the attorney about amending the 7 Criteria for considering in making a lien reduction to make them more user friendly and provide you with better information. Mr. Walker stated that those factors are in there because they are in the statute. Mrs. Arraiz stated that the 3 are in the statute but not all 7. Mr. Walker asked Mrs. Arraiz to send a memo and he could draft something for the Board to consider. The Board did agree that this would be helpful in determining their recommendations.

Mr. George mentioned that Mr. Scott had resigned and Chairwoman Minton asked that the City write him thanking him for his service.

Margaret Arraiz stated that the July hearing will be cancelled and the next meeting after May will be in September.

Misty Minton reminded the Board that the next meeting would be May 14, 2014.

There being no further business, Chairwoman Minton declared the meeting adjourned.

Meeting adjourned at 11:30 AM.

ATTEST:


SECRETARY TO THE CODE BOARD


CODE ENFORCEMENT MANAGER

A Taped Recording of this Meeting has been saved.

City Commission Regular Meeting

Agenda Item # 9. i.

Meeting Date: 04/07/2014

Re: Lien Reduction Request - 5496 Altman Road

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Request to reduce Code Enforcement Lien in the amount of \$60,840.00 against 5496 Altman Road, owned by Mariner Cove Fort Pierce LTD, to \$2,300.00, contingent upon payment within 60 days.

SUMMARY:

The property owners Mariner Cove Fort Pierce LTD, 2379 Beville Rd., Daytona Beach, FL is requesting the City Commission waive \$58,540.00 leaving a balance of \$2,300.00 due. The Code Enforcement Board recommends approving the reduction to \$2,300.00 based upon the following:

- The company has hired a local company to oversee the property and provide continual maintenance until the property is developed.
- No further violations exist since the local company was hired.

RECOMMENDATION:

Staff and Code Enforcement Board recommends waiving \$58,540.00 leaving a balance due of \$2,300.00 payable in 60 days. If not paid, the lien will revert back to the original amount of \$60,840.00.

ALTERNATIVES:

1. Deny the request
2. Make alternative recommendation

RESPONSIBLE STAFF:

Colleen Greer, Executive Assistant

COORDINATED WITH:

Margaret M. Arraiz, Code Compliance Manager

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2014

Account:

Amount: 2,300

OTHER INFORMATION:

Revenue of \$2,300 to the General Fund.

Attachments

Reduction Request

Breakdown

Minutes

tax card

PROPERTY RECORD CARD

Mariner Cove Fort Pierce Ltd Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 5496 Altman Rd ParcelID: 2430-234-0001-000-3
 Sec/Town/Range: 30 :35S :40E Account #: 32810
 Map ID: 24/30N Use Type: Vac Res
 Zoning: R4 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Mariner Cove Fort Pierce Ltd
 Address: 24151 Ventura Blvd
 Calabasas CA 91302-1449

Legal Description

30 35 40 SE 1/4 OF SW 1/4 OF NW 1/4 AND NE 1/4 OF NW 1/4 OF SW 1/4 AND FROM NE COR OF NW 1/4 OF SW 1/4
[More...](#)

Sales Information

| Date | Price | Code | Deed |
|------------|---------|------|------|
| 11/10/2005 | 3825000 | 02 | WD |
| 10/27/2004 | 2250000 | 02 | WD |
| 11/25/2003 | 725000 | 00 | WD |
| 5/15/1998 | 140000 | 01 | MS |

Assessment 2013

2013 Final: 215700
 Assessed: 215700
 Ag Credit: 0
 Exempt:
 Taxable:
 Taxes: 5513.14

Total Land and Building

Land Value: 215700 Acres: 21.05
 Building Value: 0
 Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch
 Available



Exterior Features

| | | |
|--------------|--------------|---------------|
| View: - | RoofCover: - | RoofStruct: - |
| ExtType: - | YearBlt: - | Frame: - |
| Grade: - | EffYrBlt: - | PrmeWall: - |
| StoryHght: - | No.Units: - | SecWall: - |

Interior Features

| | | |
|-------------|-------------|---------------|
| BedRooms: - | Electric: - | PrmIntWall: - |
| FullBath: - | HeatType: - | AvgHt/Ft: - |
| 1/2Bath: - | HeatFuel: - | Prm.Flors: - |
| %A/C: - | %Heated: - | %Sprinkled: - |

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBl. | Land Information | | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|-------|------------------|--------------|------------|---------|-------|
| 1 | | | | | | | No. | Use Type | 545 -Acres | 10.27 | |
| 2 | | | | | | | | 0000-Vac Res | 101 -Acres | 10.78 | |

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: CODE ENFORCEMENT LIEN REDUCTION
5496 Altman Road, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Costs (General Fund) | Interest & Penalties | Administrative Fees |
|----------------|----------------------|----------------------|---------------------|
| CASE # 11-0202 | \$60,800.00 | \$0.00 | \$40.00 |
| | | | |
| | | | |
| TOTAL | \$60,800.00 | \$0.00 | \$40.00 |

CAN BE WAIVED (ALL COSTS)

\$60,840.00

**MINUTES
CODE ENFORCEMENT BOARD
CITY OF FORT PIERCE
100 NORTH U.S. # 1
FORT PIERCE, FL 34950
MARCH 12, 2014**

Chairwoman Misty Minton called the meeting to order at 9:02 AM.

All present stood for the Pledge of Allegiance.

The role was called. Those present were Chairwoman Misty Minton, Vice Chair John George, Board Members Michael Monti, Geraldine Murphy, Terry Wolters, and Al Bernetti

Roderick Wallers called in January informing secretary that he would not be able to attend. Geraldine Murphy moved to excuse Mr. Waller's absence. Terry Wolters seconded the motion. A vote was taken and it was unanimous. Donald Scott had called in and said he would have to resign due to illness. Chairwoman Minton asked Code Compliance Manager Margaret Arraiz to send a letter thanking him for his service.

The next item on the Agenda was Approval of the Minutes of the meeting held on January 8, 2014.

Motion was made by John George and seconded by Geraldine Murphy to approve the Minutes of the meeting on January 8, 2014.

Those voting in favor of the motion were: Board Members Monti, Murphy, Wolters, Bernetti, Vice Chair George, and Chairwoman Minton. Those opposed: none.

Chairwoman Misty Minton welcomed Al Bernetti to the Code Enforcement Board. Margaret Arraiz stated that we are still looking for an alternate.

Margaret Arraiz introduced the two new Code Officers Isaac Saucedo, and Terry Denmark.

The next item on the agenda was the swearing in of the code officers: Code Compliance Manager Margaret Arraiz, Code Officers Shaun Coss and Terry Denmark.

Staff members present were Code Enforcement Board Secretary Colleen Greer, Assistant City Attorney James Walker and Officer Cheryl Glenn-Reed.

The next item on the agenda was Lien Reduction Requests.

Item 5B-10 is case # 12-1659; property address is 2729 S US Highway 1, Ft. Pierce, FL. The current owner is Juan E. Garcia, 4010 62nd Terrace East, Bradenton, FL 34203-7043. The code sections in violation were 16-18 (C) (D) responsibility for containers; 16-46, 16-47, 16-48 (12) nuisance as a condition; 16-46, 16-47, 16-48 (1) (5) outside storage.

Margaret Arraiz read the Facts of the Case. The case was initiated on September 27, 2012 and came before the Code Board on November 14, 2012; at which time the Code Board gave the property owner 5 days to comply or be fined \$250.00 per day. An inspection was made on November 30, 2012, the property was not in compliance and the fine began. On February 11, 2013 the lien was recorded. On February 11, 2014 an inspection was made and the property was now in compliance and the fines stopped. The total amount of the lien is \$109,540.00 which includes \$40.00 recording fees. On February 19, 2014 Staff received a request from Mr. Garcia requesting that we waive the entire amount. Staff scheduled his request to be presented to the Board this date. His letter did not provide any information on why the City should consider his request; therefore, Staff has not made a recommendation at this time

Chairwoman Misty Minton asked about the number of prior violations and Margaret Arraiz explained that this is a piece of commercial property located on US 1 and over the years there has been multiple violations from business tax receipts to outside storage; that there has been repetitive violations basically because it is a strip location with multiple units.

Juan E. Garcia was sworn in for testimony. Mr. Garcia stated that he thinks the whole issue has been a language barrier between himself and Officer Shaun Coss. Mr. Garcia stated that he would periodically receive a notice and he would address the problems. His biggest mistake was not keeping record of when Officer Coss indicated that the property was in compliance.

Chairwoman Minton asked Mr. Garcia how long he has owned the business and if he owned other properties in the city limits? He stated that it has been about 7 years and although he did not own any other commercial

properties he did have a couple of residential pieces. She then asked who oversees his property since he resides in Bradenton and how often he visits Ft. Pierce. He stated that it was his tenants and lately it has been every month but prior to that it was only every 3 months or so.

Chairwoman Minton thanked Mr. Garcia and asked if the City had any questions of Mr. Garcia. There was none. The City was asked to present their side.

Officer Coss stated that this case was the last case of the continual issue that has been happening over the years. The biggest tenant in the plaza is Dominos but there was a produce market in the plaza also. The biggest issue was that we were continually getting complaints from a neighboring property that the dumpster was always open and putting off a horrific odor. There were previous cases of which I would call Mr. Garcia and tell him what was in violation; he would then call me and tell me that the violation had been corrected; however, by the time I got out there the property would be in violation again. There was never two days in a row that the violation wasn't there. That's when the fines were started.

Chairwoman Minton asked if the Board had any questions of Officer Coss. There were none, but Chairwoman Minton asked if the property was currently in compliance. Mrs. Arraiz stated that it was in compliance when the paperwork was processed but for today she didn't know its current condition. Chairwoman Minton then asked about the consistency in compliance. Officer Coss stated that there was no consistency in the time frame and that it was quite a time frame where he did not hear from Mr. Garcia.

She then asked if the Board had any questions. Al Bernetti asked if he had a clause in his lease with the tenants that they had to maintain the property. He also questioned why Mr. Garcia did not have a manager locally to look out for his interest. Mr. Garcia said he does have the clause in the lease for the long term tenants but not on the month to month tenants. John George asked Mr. Garcia what process is in place to keep the property clean now. Mr. Garcia said he was closer to the property.

Mike Monti said he would rather leave it as is and if we don't have any further issues within the next 6 months, we have established a pattern and we could meet again to reduce the lien.

The Code Enforcement Board discussed the seven criteria outlined in Rule 17 – lien reduction requests. It states the petitioner should state reasons for why there should be consideration for reduction including any documentation supporting the reason for the request. She said the next step is to adopt a motion as to whether the request would be denied, granted, or granted with conditions.

Al Bernetti asked if we could make a motion that it would be reduced to \$5000.00 if the property remained in compliance for 6 months.

Chairwoman Minton said this is a recommendation to the City and therefore we can recommend whatever but that doesn't mean the City will accept it and so whatever recommendation we make needs to be something that they would accept.

Motion by John George and seconded by Al Bernetti based on Rule 17 with a stipulation that after 6 months of continued compliance the lien of \$109,540.00; be reduced to \$5000.00. Chairwoman Minton asked if there was any discussion on the motion. Margaret Arraiz asked if it falls out of compliance within those 6 months what would be the action. John George said it would go back to the original amount. Margaret Arraiz asked Mr. Walker if the actual reduction would take place after 6 months and he said yes. So in September the reduction would become effective. If there is a violation within that time frame, it would revert back to the original value. There would then be an initiation of another violation proceeding.

Terry Wolters said he thought the request should be denied until Mr. Garcia could come back and say it is in compliance and I now have a reason to request a reduction.

There being no further discussion a vote was taken. There were 3 votes for: Board Members Bernetti, Monti and Vice Chair George. There were 3 votes against: Board Members Murphy, Wolters, and Chairwoman Minton. The motion was denied. Chairwoman Minton asked for another motion.

Mike Monti made a motion and was seconded by Terry Wolters that based on Rule 17 that the request for reduction of lien in the amount of \$109,540.00 requested by Juan E. Garcia be denied and remain at its current amount. Mike Monti stated that he believed this was the way to go and once he has shown the property to remain in compliance he could request to come back before us. There being no further discussion a vote was taken and Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George and Chairwoman Minton were in favor and the motion carried; none opposed.

Margaret Arraiz reminded the Board that the recommendation for denial still had to go before the City Commission. Chairwoman Minton stated to Mr. Garcia that he would have to go before the City Commission and they may decide to reduce it. The request has been denied but he does have the right to come back before the Board and make another request once the property is maintained and continue to stay in compliance.

Item 5B-9 is case #11-0202; the property address is 5496 Altman Road, Ft. Pierce, FL. The current owner is Mariner Cove Fort Pierce LTD, 2379 Beville Rd., Daytona Beach, FL. The code sections in violation were 22-187 (13) landscape maintenance.

Margaret Arraiz presented the Facts of the Case. The case was initiated February 15, 2011, came before the Code Board on May 11, 2011. The Code Board found the property owner was in violation and gave them 30 days to comply or a fine of \$100.00 per day would be assessed. An inspection was made on June 14, 2011 and the property was not in compliance and the fines began. A lien was recorded on August 12, 2011. On February 11, 2013 an inspection was made, the property was in compliance and the fines stopped. The total amount of fines is \$60,840.00 which includes \$40.00 recording fees. Staff received a letter from Mr. Scott DeLanoy requesting reduction on February 14, 2014. Based on the gravity of the situation Staff has come to agreement of covering the administration costs of \$2300.00 payable in 60 days.

Scott C. DeLanoy was sworn in for testimony. Mr. DeLanoy stated that he was hired by Mariner Cove Fort Pierce LTD and he has been hired to act as manager for the site. As for the reduction request they are in control of the maintenance now and have hired them to continue with it until the project is developed. They will pay the costs and hopefully that will suffice.

Chairwoman Minton asked if the Board had any questions. Geraldine Murphy asked if they mow every 60 days or do they go by and see what needs to be done. Mr. DeLanoy said it's whatever needs to be done. No further comments the public part of hearing was closed and Chairwoman Minton asked for any discussion of the Board. No further discussion.

Motion was made by John George and seconded by Terry Wolters that the Board recommend to the City Commission to reduce the lien from \$60,840.00 to \$2,300.00 payable in 60 days. Failure to do so, lien would revert back to its original amount. This motion is based on the 7 criteria of Rule 17 of the Rules & Procedures.

There being no further discussion a vote was taken and all Board Members present were in favor and the motion carried.

Item 5B-7 is Case # 98-0283, 118 N 11th Street, Ft. Pierce, FL. The property was owned by Dan Williams, 4904 Evergreen Avenue, Ft. Pierce, FL and currently owned by Michele Mayhew, 118 N. 11th Street, Ft. Pierce, FL. The code sections in violation were 5-368 property maintenance.

Margaret Arraiz presented the Facts of the Case. The case was initiated on January 14, 1998 and came before the Code Enforcement Board on June 10, 1998. The Code Enforcement Board gave the property owner 50 days to comply or a fine \$50.00 per day would be assessed. An inspection was made on August 10, 1998, the property was not in compliance and the fines began. A lien was recorded on December 7, 1998. An inspection was made January 23, 1999 and the property was now in compliance. The fines stopped. The total amount of lien is \$8,800.00. Staff received a request for reduction from Michele Mayhew on January 13, 2014. Margaret Arraiz spoke with Ms. Mayhew prior to the hearing. There are extenuating circumstances and the Staff is in agreement to waive all costs.

Assistant City Attorney Walker made a disclosure that Ms. Mayhew is a previous client.

Michele Mayhew was sworn in for testimony.

Chairwoman Minton asked Ms. Mayhew to explain about the property and the fact that she did not know about the lien on the property.

Michele Mayhew stated that when she bought the property, she was told there were no liens. Then she came to the city to get a permit and learned at that time that there was an \$8,800.00 lien on the property. She made repairs to the house and brought proof of supplies she had purchased to make the repairs. She explained that it was taking a while to get it done but she was working on it by herself with very little help. She explained that this is her home and she is maintaining it to the best of her ability.

Chairwoman Minton asked if there were any questions of the City and the Board. There was none from the City; however, John George asked if she was going to keep it in compliance. She stated that she was doing the best that she could.

Chairwoman Minton closed the public portion of the request and asked if there was any discussion from the Board. There being none a motion was asked for.

Motion by John George and seconded by Al Bernetti that the Board recommends the reduction of the lien of \$8,800.00 be reduced to \$.00. This recommendation was based upon Rule 17 of the Rules & Procedures. There being no further discussion a vote was taken Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George and Chairwoman Minton were in favor and motion carried; none opposed.

The next item on the agenda is New Violation Cases.

Item 5A-1 is Case #13-2317. Officer Shaun Coss read in the case. The location address is 1112 Beach Court. The current owners are David & Alane Luke, 1112 Beach Court, Ft. Pierce, FL 34950. The code section(s) in violation are 22-25 (b) (3) (e) (1) single family intermediate density zone (R-2). The case was initiated November 26, 2013. He explained that there are two containers on the property that are in violation of the city code. Pictures were submitted and marked as exhibits.

Chairwoman Minton asked if these were cargo containers that go on a ship or a train. Officer Coss said that is what they appear to be; that only the front corner is visible from the street. She asked if these containers were allowed or anything that someone could do to allow them and Officer Coss said if they were there temporarily they could apply for a temporary use but it must meet certain requirements and regulations. If it was there permanently, they would have to apply for a permit meeting all the necessary requirements.

Chairwoman Minton asked if there were any further testimony from the City and if the Board had any questions of the City as to the initial testimony. John George asked Officer Coss when he last checked the property and he replied yesterday.

David Luke came forward and stated he was here for discovery and seeking to have communication and that he does not take oaths, especially oaths under duress. Mr. Luke claimed that if he did not show up for the hearing, further action would be taken against him by the City.

Chairwoman Minton asked Assistant City Attorney Walker how to proceed with this case. Mr. Walker stated that the respondent is required to take an oath if he is going to present factual testimony. If the respondent does not take the oath his testimony will not be treated as factual evidence but as argument and the Board may give that such weight as it wishes under the circumstances. He can say the things he wishes to say, however, it's not given the full force of fact as it would be given as formal evidence.

Mr. Luke asked Officer Coss when he discovered the containers and how the information came to him? Officer Coss explained that he learned of them November 15, 2013 from a complaint not specific to the containers but specific to getting Hibiscus Park cleaned up. Officers did a street by street inspection of the entire area. Mr. Luke asked if the complaint came from Cairo Venegas from Ft. Pierce Authority. Officer Coss said no, it came from Cecilia DeFilipas from Hibiscus Park Association. Mr. Luke gave his explanation on how the containers came to be exposed. He explained that the containers have been there since the hurricanes and since his parents sold their property. He asked that the code specific to the containers and specific to the violation be read out loud. Officer Coss read codes 22-25 (b) (3) (e) out loud. Mr. Luke asked if he could read his list of questions to the board stating he has no answers to his questions and he requests the answers to enable him to come to the board and have a discussion about the issues Officer Coss claims he is in violation of.

Chairwoman Minton asked if City had received this list of questions and Mrs. Arraiz stated a Public Records Request had been submitted to the City Clerk's office and we provided the information requested in regards to code enforcement. We have not been informed of whether the City Clerk's office sent the information to Mr. Luke.

Chairwoman Minton stated that our job is to help the City stay in compliance and asked Mr. Luke if he understood what the problem is about the two cargo containers. Mr. Luke said no and that is the reason he asked for clarity and asked that the hearing be tabled until he can have answers to his questions.

Chairwoman Minton asked Mr. Walker to give some direction on when someone requests that an item be tabled. Mr. Walker responded by reading Rule 10 on continuance. The proper procedure was not done and

therefore it is not recommended to continue this hearing. She did ask Mr. Luke if he received the Notice of Hearing and he did receive it but did not receive the answers to his questions and clarity of the violations.

Chairwoman Minton asked if there were any questions from the Board. Al Bernetti asked how long Mr. Luke has lived in the city and he stated 10 to 12 years. She then asked Officer Coss if there was anything specific in the code that says cargo containers are not allowed or is it just that unanchored storage containers are not allowed. Officer Coss explained that there was no explicit prohibition; there is a table that is rather lengthy that shows what uses are permitted in zoning but every item cannot be addressed in this code. Mrs. Arraiz stated that Chapter 22 lists what uses are allowed and if it's not listed as allowed it is prohibited. Mr. Walker asked a question about it being an accessory structure. Mrs. Arraiz stated that if it was used temporarily for storage they listed what temporary uses were allowed and if it was determined as being put in as a replacement for a shed they listed what permanent uses were allowed. Mr. Walker asked Officer Coss to put up on the screen those two provisions. Mrs. Arraiz read Section 22-65 regarding temporary uses and that Mr. Luke's containers do not fall under this description. She then read the definition of an accessory use and explained that the chart that was mentioned earlier was a part of an amendment to this section. Al Bernetti asked Officer Coss whether a temporary structure or an accessory building would have to be submitted to the building department. Officer Coss responded yes and it would also have to go to Planning and Zoning Department to make sure that it was an approved use. Mr. Bernetti asked if a red flag would have come up 10 years ago if he had gotten a permit and Officer Coss said yes. Mr. Luke stated that there was a waiver from all aspects following the hurricane dilemma of buildings and structures necessary to help facilitate the rebuilding of the damages done by the hurricanes. Geraldine Murphy asked Mr. Luke why he still had the containers 10 years later if they were supposed to help facilitate the rebuilding of his property after the hurricanes stating the waiver has already passed. Mr. Luke responded by asking the Board to observe what they are reading in its entirety and not to pick out certain parts and that he would not answer any more questions until he has had his notice fulfilled.

Mr. Walker asked Staff if the issue comes down to failure to have a permit for an accessory structure which section of the code imposes the permitting requirement? Mrs. Arraiz stated that the code section is 5-1.105 permits (1) and read it to the Board. Mr. Walker's follow up question was he charged with a violation of that section and Mrs. Arraiz stated that he was not.

Chairwoman Minton stated that we were not there to consider permitting but to consider what the violations were that was being brought before the Board. She asked if the items did come in after the hurricanes were there anything in the code that said temporary containers could stay there. Mrs. Arraiz said she would have to refer that question to the Building Department. She asked City to state specifically what Mr. Luke is being cited with and Mrs. Arraiz said he was being cited as a zoning code violation because it does not comply with the temporary use or the accessory buildings part of the Planning & Zoning code. Mr. Luke asked that the City read Section 22-65 in its entirety regarding temporary uses. Chairwoman Minton asked if the City would put it up on the screen. Mrs. Arraiz stated that Mr. Luke was cited under 22-25 (b) sub-sections d & e. She stated that the problem the City is having is that between now and the time we issued the notice of violation the code section was amended. Mr. Bernetti asked Mr. Luke if he had a survey verifying the property measurement. Mr. Luke said he had the property surveyed and staked and gave a 10' buffer in order to comply and asked if someone in the chambers would go and do the survey and Mr. Bernetti said they were not engineers. Mr. Walker said if the charge is a violation of setback the City has a duty of producing evidence of the set back and the distance to establish the violation.

Chairwoman Minton asked if the City had anything further. Margaret Arraiz stated that the City was going to request to continue this until the next hearing, amend the notice of violation to remove the setback but include the failure to obtain a permit. Mr. Walker stated if the citation is insufficient because it does not refer to the appropriate sections dismissal is appropriate, not continuance. They can then re-file. Mrs. Arraiz clarified that due to the amendment of the code section, the Board could dismiss this or we can withdraw and we can reissue a new notice of violation using the newly adopted code as well as the one we failed to include.

Chairwoman Minton asked for a motion. John George made a motion to dismiss the case and there being no second the motion failed. A second motion was made by Terry Wolters to allow the City to withdraw the case at this time without prejudice. Mike Monti seconded the motion. Chairwoman Minton asked for discussion and Al Bernetti asked if we could continue this. Mr. Walker stated the City has the desire to re-charge the violator and the appropriate remedy would be to dismiss or withdraw the current petition not to continue it. There being no further discussion a vote was taken. All Board Members present were in favor and the motion carried.

The next item on the agenda is a **Request for Reduction of Lien.**

Item 5B-8 is case # 01-410 & #01-1000; 2604 Avenue, Ft. Pierce, FL. The previous owner was Mary S. Marshall, 2604 Avenue E, Ft. Pierce, FL and currently owned by P. Serge Camille, 4560 NW 49th Court, Coconut Creek, FL. The code section in violation was 16-48 (1) (5) for outside storage.

Margaret Arraiz read the Facts of the Case. The case was initiated February 27, 2001 and came before the Code Enforcement Board on June 19, 2001. The Code Enforcement Board gave the property owner 10 days to comply for be fined \$25.00 per day not to exceed \$1000.00. An inspection was made on July 2, 2001 and the property was not in compliance; the fines began. On August 11, 2001 the fines were stopped at \$1000.00. A lien was recorded on July 12, 2001. On February 21, 2014 the City received a lien reduction request from Mr. Camille. Mr. Camille purchased the property at a tax sale and due to the fact there are thousands of dollars he has to deal with in lot clearing and demolition liens the City is willing to waive the \$1000.00 lien.

Serge Camille was sworn in for testimony. He stated the lien was on the property before he bought it and did not do a search on it. He stated he has not done any improvements because it is vacant land and the value is decreased.

Chairwoman Minton asked Mrs. Arraiz if Mr. Camille is responsible for the lot clearings and the demolitions and she stated he is. She then asked Mr. Camille how many pieces of property he purchased from the city and he stated four and all four has liens. She then asked Mr. Camille if he resided in Coconut Creek and how often he comes to Ft. Pierce. He stated he could come up every 3 or 4 weeks to make sure everything is kept up.

Chairwoman Minton asked if the City had any questions of Mr. Camille and if the Board had any questions of Mr. Camille or the City and neither did. She asked for any discussion. There being no discussion he asked for a motion.

Michael Monti made a motion to reduce the lien in the amount of \$1000.00 to \$0. This is based on Rule 17 of the Rules of Procedure. Terry Wolters seconded the motion.

Chairwoman Minton asked if there were any discussions and Geraldine Murphy asked what the date of purchase was and if the violation letters had gone to him. Mrs. Arraiz stated that the current owner received 6 lot clearing notices which were complied. Mr. Camille is here because we learned he is the new owner and we sent a reminder letter to him notifying him there was a lien on the property. Upon receipt of this letter he came in and asked to resolve all of the property problems. When he received the lot clearing notices, he cut the grass and came into compliance. He did not know about the 2001 lien against the property.

After no further discussion a vote was taken; all Board Members present were in favor and the motion carried. Chairwoman Minton reminded Mr. Camille that it would now go to the City Commission for final approval.

The next item on the agenda is a **Review & Determination.**

Item 5A-2 is case # 13-2347; 2305 Delaware Avenue, Ft. Pierce, FL owned by Brian Teller, 2305 Delaware Avenue, Ft. Pierce, FL for code section(s) 5-368 (4) property maintenance, 5-371 exterior property maintenance, 16-46, 16-47, 16-48 (1) (5) outside storage, 11-11 storage of commodities, and 16-46, 16-47, 16-48 (10) (D) outside storage.

There were no questions or discussions.

A motion was made by Michael Monti and seconded by Terry Wolters that the Code Board find the violator to have been in violation of code section(s) 5-368 (4), 5-371, 16-46, 16-47, 16-48 (1) (5), 11-11 and 16-46, 16-47, 16-48 (10) (D) but that the violations has been cured as of the date of this hearing. The violators shall be warned that if these violations reoccur, pursuant to Florida Statute 162.09, the Code Officer may notify the Code Board and request that a fine be entered

There was no discussion from the Board.

A vote was taken and all in favor were Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George, and Chairwoman Minton. Those opposed: none.

The next item on the agenda was **Violation Cases With No One Present.**

Item 5B-3; case # 14-0010; 123 S 8th Street, Ft. Pierce, FL 34950 owned by Joseph Lloyd, 58 Somers Street, Brooklyn, NY 11233. The code sections in violation are 22-26 (E) (4) open space character.

Item 5B-4; case # 14-0240; 2512 Avenue J, Ft. Pierce, FL owned by Jessie McMinns, 2260 NW 52nd Street, Miami, FL 33142. The code sections in violation are 5-369 vacant buildings.

Item 5B-6; case # 14-0252; 1706 Avenue D, Ft. Pierce, FL owned by Ng Lai Kwan (Tr), 6542 Hypoluxo Rd, #328, Lake Worth, FL 33467. The code sections in violation are 15-5 (7) signs prohibited.

There was no discussion from the Board.

A motion was made by Mike Monti and seconded by Terry Wolters that the Board find a violation does exist and the violators that are not present are deemed to have admitted guilt. It was further moved that they be given the number of days recommended by the Code Enforcement Officer on the case summary sheet to come into compliance or they be fined the amount also shown on the summary sheet.

A vote was taken and all Board Members present were in favor.

The next items on the agenda are **Old Business & New Business Combined.**

Chairwoman Minton asked if the Board was satisfied with the new minute's format. All were satisfied however she asked for a snippet of what the violations were and Margaret Arraiz said we could do that and further stated that we were going to try the new Agenda Quick for the next meeting in May and that everything will be available on line. She stated that the minutes will also be available on line along with the audio tapes.

Mr. Walker asked about the program Dragon which is a program that automatically transcribes and Mrs. Arraiz stated that we had no knowledge of that program. Geraldine Murphy stated that they use it at their community but there are problems with it because it does not record exactly what happens.

John George asked about the signage that the Code Enforcement Board is doing something with. Mrs. Arraiz said this is something they are working on rewriting the sign ordinance, it is on the bottom of the list due to the Commissioners moratorium but we want to rewrite it to be more business friendly. Mr. George also asked about the CPTED and she said the resolutions are here and close to going to legal for review.

Margaret Arraiz asked if the Board wanted to ask the attorney about amending the 7 Criteria for considering in making a lien reduction to make them more user friendly and provide you with better information. Mr. Walker stated that those factors are in there because they are in the statute. Mrs. Arraiz stated that the 3 are in the statute but not all 7. Mr. Walker asked Mrs. Arraiz to send a memo and he could draft something for the Board to consider. The Board did agree that this would be helpful in determining their recommendations.

Mr. George mentioned that Mr. Scott had resigned and Chairwoman Minton asked that the City write him thanking him for his service.

Margaret Arraiz stated that the July hearing will be cancelled and the next meeting after May will be in September.

Misty Minton reminded the Board that the next meeting would be May 14, 2014.

There being no further business, Chairwoman Minton declared the meeting adjourned.

Meeting adjourned at 11:30 AM.

ATTEST:


SECRETARY TO THE CODE BOARD


CODE ENFORCEMENT MANAGER

A Taped Recording of this Meeting has been saved.

PROPERTY RECORD CARD

Mariner Cove Fort Pierce Ltd Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 5496 Altman Rd ParcelID: 2430-234-0001-000-3
 Sec/Town/Range: 30 :35S :40E Account #: 32810
 Map ID: 24/30N Use Type: Vac Res
 Zoning: R4 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Mariner Cove Fort Pierce Ltd
 Address: 24151 Ventura Blvd
 Calabasas CA 91302-1449

Legal Description

30 35 40 SE 1/4 OF SW 1/4 OF NW 1/4 AND NE 1/4 OF NW 1/4 OF SW 1/4 AND FROM NE COR OF NW 1/4 OF SW 1/4
[More...](#)

Sales Information

| Date | Price | Code | Deed |
|------------|---------|------|------|
| 11/10/2005 | 3825000 | 02 | WD |
| 10/27/2004 | 2250000 | 02 | WD |
| 11/25/2003 | 725000 | 00 | WD |
| 5/15/1998 | 140000 | 01 | MS |

Assessment 2013

| | |
|-------------|---------|
| 2013 Final: | 215700 |
| Assessed: | 215700 |
| Ag Credit: | 0 |
| Exempt: | |
| Taxable: | |
| Taxes: | 5513.14 |

Total Land and Building

| | | |
|-----------------|--------|--------------|
| Land Value: | 215700 | Acres: 21.05 |
| Building Value: | 0 | |
| Finished Area: | 0 | SqFt |

BUILDING INFORMATION

No Sketch Available



Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrmeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Flors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | Land Information | | | | |
|------|-----|------|-------|-------|-------|--------|------------------|--------------|------------|---------|-------|
| | | | | | | | No. | Use Type | Type | Measure | Depth |
| | | | | | | | 1 | 0000-Vac Res | 545 -Acres | 10.27 | |
| | | | | | | | 2 | 0000-Vac Res | 101 -Acres | 10.78 | |

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

City Commission Regular Meeting

Agenda Item # 9. j.

Meeting Date: 04/07/2014

Re: Lot Clearing Lien Reduction - 1113 Avenue F

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Waive interest, penalties, and administrative fees for Lot Clearing Lien in the amount of \$251.50 against 1113 Avenue F, owned by Aaron Richardson, Jr., contingent upon payment of \$150.00 within 60 days.

SUMMARY:

Request by Aaron Richardson, Jr., 300 N. 40th St., Ft. Pierce, FL to waive all costs including lot clearing, interest, and administrative fees in the amount of \$251.50 leaving a balance of \$.00.

RECOMMENDATION:

Staff recommends waiving interest, penalties, and administrative fees of \$101.50 leaving a balance due of \$150.00.

ALTERNATIVES:

1. Deny request
2. Determine alternative amount

RESPONSIBLE STAFF:

Colleen Greer, Executive Assistant

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager
Kathy D'Arton, Accounts Receivable

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2014

Account:

Amount: 150.00

OTHER INFORMATION:

\$150.00 to the general fund

Attachments

Breakdown

Tax Card

Reduction Request



MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: LOT CLEARING LIEN REDUCTION
1113 Avenue F, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Costs (General Fund) | Interest & Penalties | Administrative Fees |
|-------------------|----------------------|----------------------|---------------------|
| Lot Clearing Lien | \$150.00 | \$1.50 | \$100.00 |
| | | | |
| | | | |
| TOTAL | \$150.00 | \$1.50 | \$100.00 |

| | |
|---|-----------------|
| CAN BE WAIVED (ALL INTEREST, PENALTIES, AND ADMIN. COSTS) | \$101.50 |
| CANNOT BE WAIVED (ALL LOT CLEARING COSTS) | <u>\$150.00</u> |
| | \$251.50 |



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A WAIVER LOT CLEARING / DEMOLITION LIENS

| | | | |
|--|--|--|--|
| Property address: | 1113 Ave F - Ft. Pierce, FL 34950 | | |
| Owner(s) of record: | Damon, Van & Aaron Richardson Jr. | | |
| Mailing address: | 300 No. 40 th Str - Ft. Pierce, FL 34947 | | |
| Property tax ID #: | 2404-827-0001-000/2 | | |
| Original purchase date: | NA | Original purchase price: | NA |
| Other Information: | <input checked="" type="checkbox"/> Inherited Property | <input type="checkbox"/> Purchased at Tax Sale | <input type="checkbox"/> Adjoining Property Owner |
| Property is used for: | <input type="checkbox"/> Single Family | <input type="checkbox"/> Multi-family | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Vacant Lot |
| Name of person requesting waiver | Aaron Richardson, Jr. | Relationship to owner(s): | Brother |
| Telephone #: | 772-468-8068 | Mobile phone #: | 772-370-6974 |
| E-mail: | Richarda2@bellsouth.net | Preferred contact method: | Mobile |
| What are owner(s) intentions for property: | Recent inheritance | | |
| Are there current code violations? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | Explain: (please attached notice) |
| Is a lien filed against the property? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is the lien amount? |
| Is property listed for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is listing price? |
| Is property under contract for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is the sale price? |

| | |
|---|-------------------------|
| City incurred charges (lot clearing, demolition, etc) | \$ <u>150.00</u> |
| Administrative fees | \$ <u>100.00</u> |
| Interest | \$ <u>1.25</u> |
| Penalties | \$ <u>1.25</u> |
| TOTAL AMOUNT DUE TO CITY | \$ <u>251.50</u> |
| DOLLAR AMOUNT REQUESTING TO BE WAIVED | \$ <u>251.50</u> |
| DOLLAR AMOUNT I AGREE TO PAY | \$ <u>0</u> |

If the city waives any fees, interest, penalties or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Commission's decision unless an alternate time frame is specified in the motion.

 (Signature of Owner or Representative)

Aaron Richardson Jr

 (Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 1113 Ave F - Ft. Pierce, FL 34950

Property Owner: Damon, Van & Aaron Richardson JR.

Mailing Address: 300 No. 40th Str - Ft. Pierce, FL 34947

Telephone #: 772-466-8068 Cell Phone #: 772-370-6974

E-Mail Address: Richarda2@bellsouth.net

Is the property in compliance? yes If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, Aaron Richardson, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

It is my assertion that violations placed on the identified property (1113 Ave F - Acct #2404-827-0001-000/2) are in error based on the following:

- Regular maintenance is done on this property to include mowing and trimming.
- An Immediate review was made and attention given to this property, as a result of the City's letter dated August 26, 2013, declaring this property as a nuisance. Actions were taken to place the property within the City's recommended compliance with CPTED (trim up to 7 feet to prevent reduced visibility).
- Pictures produced by the City before and after (within a 45 minute time frame) do not show any differentiation of the property.
- A review of the City records will show that over the years, violations on this property have been in dispute with the City's Code Enforcement.

It is my belief that the City's records do not prove that the above property is in violation of compliance. I am requesting that the City (1) produce a description of work performed by the contractors and (2) complete a search of their records to determine and correct the ongoing problem to this situation.

Date: March 14, 2014

Signed: [Signature]
Print Name: Aaron Richardson

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority AARON RICHARDSON who acknowledged before me that the information contained herein is true and correct. He She is not personally known to me and has produced FDL R-263-000-55-410-0 as identification.

SWORN TO AND SUBSCRIBED before me this 14th day of March, 2014.



COLLEEN GREER
MY COMMISSION # EE 216024
EXPIRES November 13, 2016
Bonded Thru Budget Notary Services

[Signature]
Notary Public, State of Florida



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A WAIVER LOT CLEARING / DEMOLITION LIENS

| | | | |
|--|--|--|--|
| Property address: | 1113 Ave F - Ft. Pierce, FL 34950 | | |
| Owner(s) of record: | Damon, Van & Aaron Richardson Jr. | | |
| Mailing address: | 300 No. 40 th Str - Ft. Pierce, FL 34947 | | |
| Property tax ID #: | 2404-827-0001-000/2 | | |
| Original purchase date: | NA | Original purchase price: | NA |
| Other Information: | <input checked="" type="checkbox"/> Inherited Property | <input type="checkbox"/> Purchased at Tax Sale | <input type="checkbox"/> Adjoining Property Owner |
| Property is used for: | <input type="checkbox"/> Single Family | <input type="checkbox"/> Multi-family | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Vacant Lot |
| Name of person requesting waiver | Aaron Richardson, Jr. | Relationship to owner(s): | Brother |
| Telephone #: | 772-468-8068 | Mobile phone #: | 772-370-6974 |
| E-mail: | Richarda2@bellsouth.net | Preferred contact method: | Mobile |
| What are owner(s) intentions for property: | Recent inheritance | | |
| Are there current code violations? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | Explain: (please attached notice) |
| Is a lien filed against the property? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is the lien amount? |
| Is property listed for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is listing price? |
| Is property under contract for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is the sale price? |

| | |
|---|-------------------------|
| City incurred charges (lot clearing, demolition, etc) | \$ <u>150.00</u> |
| Administrative fees | \$ <u>100.00</u> |
| Interest | \$ <u>1.25</u> |
| Penalties | \$ <u>1.25</u> |
| TOTAL AMOUNT DUE TO CITY | \$ <u>251.50</u> |
| DOLLAR AMOUNT REQUESTING TO BE WAIVED | \$ <u>251.50</u> |
| DOLLAR AMOUNT I AGREE TO PAY | \$ <u>0</u> |

If the city waives any fees, interest, penalties or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Commission's decision unless an alternate time frame is specified in the motion.

(Signature of Owner or Representative)

Aaron Richardson Jr.
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

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INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
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4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
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Property Owner: Damon, Van & Aaron Richardson JR.

Mailing Address: 300 No. 40th Str - Ft. Pierce, FL 34947

Telephone #: 772-466-8068 Cell Phone #: 772-370-6974

E-Mail Address: Richarda2@bellsouth.net

Is the property in compliance? yes If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

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- An Immediate review was made and attention given to this property, as a result of the City's letter dated August 26, 2013, declaring this property as a nuisance. Actions were taken to place the property within the City's recommended compliance with CPTED (trim up to 7 feet to prevent reduced visibility).
- Pictures produced by the City before and after (within a 45 minute time frame) do not show any differentiation of the property.
- A review of the City records will show that over the years, violations on this property have been in dispute with the City's Code Enforcement.

It is my belief that the City's records do not prove that the above property is in violation of compliance. I am requesting that the City (1) produce a description of work performed by the contractors and (2) complete a search of their records to determine and correct the ongoing problem to this situation.

Date: March 14, 2014

Signed: [Signature]
Print Name: Aaron Richardson

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority AARON RICHARDSON who acknowledged before me that the information contained herein is true and correct. He She is not personally known to me and has produced FDL R-263-000-55-410-0 as identification.

SWORN TO AND SUBSCRIBED before me this 14th day of March, 2014.



COLLEEN GREER
MY COMMISSION # EE 216024
EXPIRES November 13, 2016
Bonded Thru Budget Notary Services

[Signature]
Notary Public, State of Florida

City Commission Regular Meeting

Agenda Item # 9. k.

Meeting Date: 04/07/2014

Re: Lot Clearing Lien Reduction - N. 12th Street

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Waive interest, penalties, and a percentage of administrative fees for Lot Clearing Lien in the amount of \$336.28 against N. 12th Street, owned by Marie M. Joseph, contingent upon payment of \$175.00 within 60 days.

SUMMARY:

Request by Marie M. Joseph, 301 N. 19th St., Ft. Pierce, FL 34950 to waive all interest, penalties, and a percentage of administrative fees in the amount of \$161.28 leaving a balance due of \$175.00.

RECOMMENDATION:

Staff recommends waiving interest, penalties, and a percentage of administrative fees in the amount of \$161.28 leaving a balance due of \$175.00.

ALTERNATIVES:

1. Deny request
2. Determine alternative amount

RESPONSIBLE STAFF:

Colleen Greer, Executive Assistant

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager
Kathy D'Arton, Accounts Receivable

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2014

Account:

Amount: \$175.00

OTHER INFORMATION:

\$175.00 to the general fund.

Attachments

Tax Card

Breakdown

Reduction Request



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A WAIVER LOT CLEARING / DEMOLITION LIENS

| | | | | | |
|--|---|--|---|-------------------------------------|--|
| Property address: | N 12th St | | | | |
| Owner(s) of record: | Marie M Joseph | | | | |
| Mailing address: | 301 N 19th Street Fort Pierce FL 34950 | | | | |
| Property tax ID #: | 2409-501-0068-000-3 | | | | |
| Original purchase date: | 9-1-13 | Original purchase price: | for gift | | |
| Other Information: | <input type="checkbox"/> Inherited Property | <input type="checkbox"/> Purchased at Tax Sale | <input type="checkbox"/> Adjoining Property Owner | | |
| Property is used for: | <input type="checkbox"/> Single Family | <input type="checkbox"/> Multi-family | <input type="checkbox"/> Commercial | <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Vacant Lot |
| Name of person requesting waiver | Marie M Joseph | | Relationship to owner(s): | | |
| Telephone #: | 772 9409360 | | Mobile phone #: 772 9404607 | | |
| E-mail: | | | Preferred contact method: | | |
| What are owner(s) intentions for property: | no intentions | | | | |
| Are there current code violations? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | Explain: (please attached notice) | | |
| Is a lien filed against the property? | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | If yes, what is the lien amount? 336.28 | | |
| Is property listed for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is listing price? | | |
| Is property under contract for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is the sale price? | | |

| | |
|---|-------------------------|
| City incurred charges (lot clearing, demolition, etc) | \$ <u>125.00</u> |
| Administrative fees | \$ <u>200.00</u> |
| Interest | \$ <u>9.39</u> |
| Penalties | \$ <u>1.89</u> |
| TOTAL AMOUNT DUE TO CITY | \$ <u>336.28</u> |
| DOLLAR AMOUNT REQUESTING TO BE WAIVED | \$ <u>161.28</u> |
| DOLLAR AMOUNT I AGREE TO PAY | \$ <u>175.00</u> |

If the city waives any fees, interest, penalties or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Commission's decision unless an alternate time frame is specified in the motion.

Marie Joseph
(Signature of Owner or Representative)

MARIE JOSEPH
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: N. 25th Street
Property Owner: Marie M. Joseph
Mailing Address: 301 N. 19th Street Fort Pierce FL 34950
Telephone #: 772 940 9360 Cell Phone #: 772 940-4607
E-Mail Address: _____

Is the property in compliance? yes If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, Marie M. Joseph, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

I'm willing to pay the amount of 175⁰⁰ due to my financial hardship. The parcel of land that I have is not big and I will try to maintain it from ~~now~~ now on. These ~~tax~~ ^{city} fees are relatively high to in my opinion. I would greatly appreciate if the community could grant my waived amount. Thank You

Date: 3/4/14

Signed: Marie Joseph
Print Name: MARIE JOSEPH

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Marie M Joseph who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced FLDL J210-553-68-558-0 as identification.

SWORN TO AND SUBSCRIBED before me this 4th day of March, 2014.



COLLEEN GREER
MY COMMISSION # EE 216024
EXPIRES: November 13, 2016
Bonded Thru Budget Notary Services

Colleen Greer
Notary Public, State of Florida

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: LOT CLEARING LIEN REDUCTION
N 12th Street, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Costs (General Fund) | Interest & Penalties | Administrative Fees |
|--------------------------------|----------------------|----------------------|---------------------|
| Lot Clearing Lien (12/20/2013) | \$125.00 | \$11.28 | \$200.00 |
| | | | |
| | | | |
| TOTAL | \$125.00 | \$11.28 | \$200.00 |

| | |
|---|-----------------|
| CAN BE WAIVED (ALL INTEREST, PENALTIES, AND ADMIN. COSTS) | \$211.28 |
| CANNOT BE WAIVED (ALL LOT CLEARING COSTS) | <u>\$125.00</u> |
| | \$336.28 |



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A WAIVER LOT CLEARING / DEMOLITION LIENS

| | | | |
|--|---|--|--|
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| Property tax ID #: | 2409-501-0068-000-3 | | |
| Original purchase date: | 9-1-13 | Original purchase price: | for gift |
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| Name of person requesting waiver | Marie M Joseph | Relationship to owner(s): | |
| Telephone #: | 772 940 9360 | Mobile phone #: | 772 940 4607 |
| E-mail: | | Preferred contact method: | |
| What are owner(s) intentions for property: | no intentions | | |
| Are there current code violations? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | Explain: (please attached notice) |
| Is a lien filed against the property? | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | If yes, what is the lien amount? 336.28 |
| Is property listed for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is listing price? |
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| | |
|---|-------------------------|
| City incurred charges (lot clearing, demolition, etc) | \$ <u>125.00</u> |
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Marie Joseph
(Signature of Owner or Representative)

MARIE JOSEPH
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

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Property Owner: Marie M. Joseph
Mailing Address: 301 N. 19th Street Fort Pierce FL 34950
Telephone #: 772 940 9360 Cell Phone #: 772 940-4607
E-Mail Address: _____

Is the property in compliance? yes If no, please explain _____



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

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I'm willing to pay the amount of 175⁰⁰ due to my financial hardship. The parcel of land that I have is not big and I will try to maintain it from ~~now~~ now on. These ~~tax~~ ^{city} fees are relatively high to in my opinion. I would greatly appreciate if the community could grant my waived amount. Thank You

Date: 3/4/14

Signed: Marie Joseph
Print Name: MARIE JOSEPH

STATE OF FLORIDA
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PERSONALLY APPEARED before me, the undersigned authority Marie M Joseph who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced FLDL J210-553-68-558-0 as identification.

SWORN TO AND SUBSCRIBED before me this 4th day of March, 2014.



COLLEEN GREER
MY COMMISSION # EE 216024
EXPIRES: November 13, 2016
Bonded Thru Budget Notary Services

Colleen Greer
Notary Public, State of Florida

City Commission Regular Meeting

Agenda Item # 9. I.

Meeting Date: 04/07/2014

Re: Lien Reduction Request - 2729 South US Hwy 1

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Deny request for reduction of Code Enforcement Lien in the amount of \$109,540.00 against 2729 S US Highway 1, owned by Mr. Juan E. Garcia.

SUMMARY:

The owner Juan E. Garcia, 4010 62nd Terrace E, Bradenton, FL 34203 requests the City Commission waive all costs totaling \$109,540.00 leaving a balance of \$.00. The Code Enforcement Board recommends the Commission deny the request based upon the following:

- The property in question has consistently had code violations.
- Mr. Garcia does not live locally and does not employ a local property manager to ensure continued compliance with the City's Code of Ordinances.
- Mr. Garcia has testified that he does not require his short term commercial tenants to maintain the property.

RECOMMENDATION:

Staff and Ft. Pierce Code Enforcement Board recommend denying Mr. Garcia's request for lien reduction.

ALTERNATIVES:

1. Approve the denial recommendation.
2. Approve Mr. Garcia's request for full waiver of fines.
3. Approve an alternate reduction amount.

RESPONSIBLE STAFF:

Colleen Greer, Executive Assistant

COORDINATED WITH:

Margaret M. Arraiz, Code Compliance Manager

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

\$.00 to the general fund

Attachments

Reduction Request

Minutes

tax card

breakdown

PROPERTY RECORD CARD

Juan E Garcia Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 2729 S US HWY 1
 Sec/Town/Range: 22 :35S :40E
 Map ID: 24/22S
 Zoning: C3

ParcelID: 2422-701-0005-000-9
 Account #: 30412
 Use Type: COM SHOP CNT
 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Juan E Garcia
 Address: 4010 62nd Terr East
 Bradenton FL 34203-7043

Legal Description

TROPICAIRE S/D BLK 1 LOTS 5 AND 6 (OR 2185-606: 2674-2711, 2712)

Sales Information

| Date | Price | Code | Deed | Book/Page |
|-----------|---------|------|------|-------------|
| 10/9/2006 | 711000 | 01 | WD | 2674 / 2711 |
| 2/28/2005 | 1125000 | 00 | WD | 2185 / 0606 |
| 1/29/2003 | 364500 | 01 | SP | 1651 / 0363 |
| 7/24/2001 | 100 | 01 | CT | 1422 / 2499 |
| 5/1/1987 | 467000 | 00 | CV | 0544 / 1918 |
| 12/1/1979 | 440000 | 00 | CV | 0322 / 0472 |
| 3/1/1979 | 0 | 01 | CV | 0307 / 2489 |
| 5/1/1978 | 100000 | 00 | CV | 0287 / 1387 |

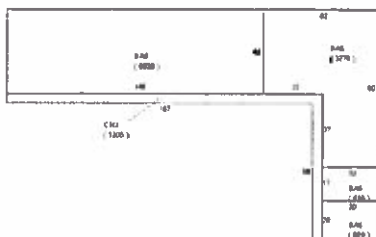
Assessment 2013

2013 Final: 558700
 Assessed: 558700
 Ag.Credit: 0
 Exempt:
 Taxable:
 Taxes: 14279.99

Total Land and Building

Land Value: 146900 Acres: 0.75
 Building Value 411800
 Finished Area: 10906 SqFt

BUILDING INFORMATION



Exterior Features

View: - RoofCover: TG - Tar & Gravel RoofStruct: BR - BarJst/Rigid
 ExtType: NSCT - SHOP CTR YearBlt: 1978 Frame: -
 Grade: Y_C+ - Commer C+ EffYrBlt: 1978 PrimeWall: BS - CB Stucco
 StoryHght: 0010 - 1 Story No.Units: 10 SecWall: -

Interior Features

BedRooms: 0 Electric: MX - MAXIMUM PmintWall: DW - Drywall
 FullBath: 0 HeatType: FHA - FrcdHotAir AvgHvFl: -
 1/2Bath: 0 HeatFuel: ELEC - Electric Prm.Flors: CU - Carpet
 %A/C: 100 %Heated: 100 %Sprinkled: 0

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. |
|--------------------|-----|------|-------|-------|-------|--------|
| ASP2 - ASP2 LOW | Y | 1 | 12950 | AV | AV | 1977 |
| CURB - CEMENT CURB | Y | 1 | 504 | AV | AV | 1977 |

Land Information

| No. | Use Type | Type | Measure | Depth |
|-----|-------------------|--------------|---------|-------|
| 1 | 1600-COM SHOP CNT | 101 -Sq Feet | 32637 | |

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

**MINUTES
CODE ENFORCEMENT BOARD
CITY OF FORT PIERCE
100 NORTH U.S. # 1
FORT PIERCE, FL 34950
MARCH 12, 2014**

Chairwoman Misty Minton called the meeting to order at 9:02 AM.

All present stood for the Pledge of Allegiance.

The role was called. Those present were Chairwoman Misty Minton, Vice Chair John George, Board Members Michael Monti, Geraldine Murphy, Terry Wolters, and Al Bernetti

Roderick Wallers called in January informing secretary that he would not be able to attend. Geraldine Murphy moved to excuse Mr. Waller's absence. Terry Wolters seconded the motion. A vote was taken and it was unanimous. Donald Scott had called in and said he would have to resign due to illness. Chairwoman Minton asked Code Compliance Manager Margaret Arraiz to send a letter thanking him for his service.

The next item on the Agenda was Approval of the Minutes of the meeting held on January 8, 2014.

Motion was made by John George and seconded by Geraldine Murphy to approve the Minutes of the meeting on January 8, 2014.

Those voting in favor of the motion were: Board Members Monti, Murphy, Wolters, Bernetti, Vice Chair George, and Chairwoman Minton. Those opposed: none.

Chairwoman Misty Minton welcomed Al Bernetti to the Code Enforcement Board. Margaret Arraiz stated that we are still looking for an alternate.

Margaret Arraiz introduced the two new Code Officers Isaac Saucedo, and Terry Denmark.

The next item on the agenda was the swearing in of the code officers: Code Compliance Manager Margaret Arraiz, Code Officers Shaun Coss and Terry Denmark.

Staff members present were Code Enforcement Board Secretary Colleen Greer, Assistant City Attorney James Walker and Officer Cheryl Glenn-Reed.

The next item on the agenda was Lien Reduction Requests.

Item 5B-10 is case # 12-1659; property address is 2729 S US Highway 1, Ft. Pierce, FL. The current owner is Juan E. Garcia, 4010 62nd Terrace East, Bradenton, FL 34203-7043. The code sections in violation were 16-18 (C) (D) responsibility for containers; 16-46, 16-47, 16-48 (12) nuisance as a condition; 16-46, 16-47, 16-48 (1) (5) outside storage.

Margaret Arraiz read the Facts of the Case. The case was initiated on September 27, 2012 and came before the Code Board on November 14, 2012; at which time the Code Board gave the property owner 5 days to comply or be fined \$250.00 per day. An inspection was made on November 30, 2012, the property was not in compliance and the fine began. On February 11, 2013 the lien was recorded. On February 11, 2014 an inspection was made and the property was now in compliance and the fines stopped. The total amount of the lien is \$109,540.00 which includes \$40.00 recording fees. On February 19, 2014 Staff received a request from Mr. Garcia requesting that we waive the entire amount. Staff scheduled his request to be presented to the Board this date. His letter did not provide any information on why the City should consider his request; therefore, Staff has not made a recommendation at this time

Chairwoman Misty Minton asked about the number of prior violations and Margaret Arraiz explained that this is a piece of commercial property located on US 1 and over the years there has been multiple violations from business tax receipts to outside storage; that there has been repetitive violations basically because it is a strip location with multiple units.

Juan E. Garcia was sworn in for testimony. Mr. Garcia stated that he thinks the whole issue has been a language barrier between himself and Officer Shaun Coss. Mr. Garcia stated that he would periodically receive a notice and he would address the problems. His biggest mistake was not keeping record of when Officer Coss indicated that the property was in compliance.

Chairwoman Minton asked Mr. Garcia how long he has owned the business and if he owned other properties in the city limits? He stated that it has been about 7 years and although he did not own any other commercial

properties he did have a couple of residential pieces. She then asked who oversees his property since he resides in Bradenton and how often he visits Ft. Pierce. He stated that it was his tenants and lately it has been every month but prior to that it was only every 3 months or so.

Chairwoman Minton thanked Mr. Garcia and asked if the City had any questions of Mr. Garcia. There was none. The City was asked to present their side.

Officer Coss stated that this case was the last case of the continual issue that has been happening over the years. The biggest tenant in the plaza is Dominos but there was a produce market in the plaza also. The biggest issue was that we were continually getting complaints from a neighboring property that the dumpster was always open and putting off a horrific odor. There were previous cases of which I would call Mr. Garcia and tell him what was in violation; he would then call me and tell me that the violation had been corrected; however, by the time I got out there the property would be in violation again. There was never two days in a row that the violation wasn't there. That's when the fines were started.

Chairwoman Minton asked if the Board had any questions of Officer Coss. There were none, but Chairwoman Minton asked if the property was currently in compliance. Mrs. Arraiz stated that it was in compliance when the paperwork was processed but for today she didn't know its current condition. Chairwoman Minton then asked about the consistency in compliance. Officer Coss stated that there was no consistency in the time frame and that it was quite a time frame where he did not hear from Mr. Garcia.

She then asked if the Board had any questions. Al Bernetti asked if he had a clause in his lease with the tenants that they had to maintain the property. He also questioned why Mr. Garcia did not have a manager locally to look out for his interest. Mr. Garcia said he does have the clause in the lease for the long term tenants but not on the month to month tenants. John George asked Mr. Garcia what process is in place to keep the property clean now. Mr. Garcia said he was closer to the property.

Mike Monti said he would rather leave it as is and if we don't have any further issues within the next 6 months, we have established a pattern and we could meet again to reduce the lien.

The Code Enforcement Board discussed the seven criteria outlined in Rule 17 – lien reduction requests. It states the petitioner should state reasons for why there should be consideration for reduction including any documentation supporting the reason for the request. She said the next step is to adopt a motion as to whether the request would be denied, granted, or granted with conditions.

Al Bernetti asked if we could make a motion that it would be reduced to \$5000.00 if the property remained in compliance for 6 months.

Chairwoman Minton said this is a recommendation to the City and therefore we can recommend whatever but that doesn't mean the City will accept it and so whatever recommendation we make needs to be something that they would accept.

Motion by John George and seconded by Al Bernetti based on Rule 17 with a stipulation that after 6 months of continued compliance the lien of \$109,540.00; be reduced to \$5000.00. Chairwoman Minton asked if there was any discussion on the motion. Margaret Arraiz asked if it falls out of compliance within those 6 months what would be the action. John George said it would go back to the original amount. Margaret Arraiz asked Mr. Walker if the actual reduction would take place after 6 months and he said yes. So in September the reduction would become effective. If there is a violation within that time frame, it would revert back to the original value. There would then be an initiation of another violation proceeding.

Terry Wolters said he thought the request should be denied until Mr. Garcia could come back and say it is in compliance and I now have a reason to request a reduction.

There being no further discussion a vote was taken. There were 3 votes for: Board Members Bernetti, Monti and Vice Chair George. There were 3 votes against: Board Members Murphy, Wolters, and Chairwoman Minton. The motion was denied. Chairwoman Minton asked for another motion.

Mike Monti made a motion and was seconded by Terry Wolters that based on Rule 17 that the request for reduction of lien in the amount of \$109,540.00 requested by Juan E. Garcia be denied and remain at its current amount. Mike Monti stated that he believed this was the way to go and once he has shown the property to remain in compliance he could request to come back before us. There being no further discussion a vote was taken and Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George and Chairwoman Minton were in favor and the motion carried; none opposed.

Margaret Arraiz reminded the Board that the recommendation for denial still had to go before the City Commission. Chairwoman Minton stated to Mr. Garcia that he would have to go before the City Commission and they may decide to reduce it. The request has been denied but he does have the right to come back before the Board and make another request once the property is maintained and continue to stay in compliance.

Item 5B-9 is case #11-0202; the property address is 5496 Altman Road, Ft. Pierce, FL. The current owner is Mariner Cove Fort Pierce LTD, 2379 Beville Rd., Daytona Beach, FL. The code sections in violation were 22-187 (13) landscape maintenance.

Margaret Arraiz presented the Facts of the Case. The case was initiated February 15, 2011, came before the Code Board on May 11, 2011. The Code Board found the property owner was in violation and gave them 30 days to comply or a fine of \$100.00 per day would be assessed. An inspection was made on June 14, 2011 and the property was not in compliance and the fines began. A lien was recorded on August 12, 2011. On February 11, 2013 an inspection was made, the property was in compliance and the fines stopped. The total amount of fines is \$60,840.00 which includes \$40.00 recording fees. Staff received a letter from Mr. Scott DeLanoy requesting reduction on February 14, 2014. Based on the gravity of the situation Staff has come to agreement of covering the administration costs of \$2300.00 payable in 60 days.

Scott C. DeLanoy was sworn in for testimony. Mr. DeLanoy stated that he was hired by Mariner Cove Fort Pierce LTD and he has been hired to act as manager for the site. As for the reduction request they are in control of the maintenance now and have hired them to continue with it until the project is developed. They will pay the costs and hopefully that will suffice.

Chairwoman Minton asked if the Board had any questions. Geraldine Murphy asked if they mow every 60 days or do they go by and see what needs to be done. Mr. DeLanoy said it's whatever needs to be done. No further comments the public part of hearing was closed and Chairwoman Minton asked for any discussion of the Board. No further discussion.

Motion was made by John George and seconded by Terry Wolters that the Board recommend to the City Commission to reduce the lien from \$60,840.00 to \$2,300.00 payable in 60 days. Failure to do so, lien would revert back to its original amount. This motion is based on the 7 criteria of Rule 17 of the Rules & Procedures.

There being no further discussion a vote was taken and all Board Members present were in favor and the motion carried.

Item 5B-7 is Case # 98-0283, 118 N 11th Street, Ft. Pierce, FL. The property was owned by Dan Williams, 4904 Evergreen Avenue, Ft. Pierce, FL and currently owned by Michele Mayhew, 118 N. 11th Street, Ft. Pierce, FL. The code sections in violation were 5-368 property maintenance.

Margaret Arraiz presented the Facts of the Case. The case was initiated on January 14, 1998 and came before the Code Enforcement Board on June 10, 1998. The Code Enforcement Board gave the property owner 50 days to comply or a fine \$50.00 per day would be assessed. An inspection was made on August 10, 1998, the property was not in compliance and the fines began. A lien was recorded on December 7, 1998. An inspection was made January 23, 1999 and the property was now in compliance. The fines stopped. The total amount of lien is \$8,800.00. Staff received a request for reduction from Michele Mayhew on January 13, 2014. Margaret Arraiz spoke with Ms. Mayhew prior to the hearing. There are extenuating circumstances and the Staff is in agreement to waive all costs.

Assistant City Attorney Walker made a disclosure that Ms. Mayhew is a previous client.

Michele Mayhew was sworn in for testimony.

Chairwoman Minton asked Ms. Mayhew to explain about the property and the fact that she did not know about the lien on the property.

Michele Mayhew stated that when she bought the property, she was told there were no liens. Then she came to the city to get a permit and learned at that time that there was an \$8,800.00 lien on the property. She made repairs to the house and brought proof of supplies she had purchased to make the repairs. She explained that it was taking a while to get it done but she was working on it by herself with very little help. She explained that this is her home and she is maintaining it to the best of her ability.

Chairwoman Minton asked if there were any questions of the City and the Board. There was none from the City; however, John George asked if she was going to keep it in compliance. She stated that she was doing the best that she could.

Chairwoman Minton closed the public portion of the request and asked if there was any discussion from the Board. There being none a motion was asked for.

Motion by John George and seconded by Al Bernetti that the Board recommends the reduction of the lien of \$8,800.00 be reduced to \$.00. This recommendation was based upon Rule 17 of the Rules & Procedures. There being no further discussion a vote was taken Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George and Chairwoman Minton were in favor and motion carried; none opposed.

The next item on the agenda is New Violation Cases.

Item 5A-1 is Case #13-2317. Officer Shaun Coss read in the case. The location address is 1112 Beach Court. The current owners are David & Alane Luke, 1112 Beach Court, Ft. Pierce, FL 34950. The code section(s) in violation are 22-25 (b) (3) (e) (1) single family intermediate density zone (R-2). The case was initiated November 26, 2013. He explained that there are two containers on the property that are in violation of the city code. Pictures were submitted and marked as exhibits.

Chairwoman Minton asked if these were cargo containers that go on a ship or a train. Officer Coss said that is what they appear to be; that only the front corner is visible from the street. She asked if these containers were allowed or anything that someone could do to allow them and Officer Coss said if they were there temporarily they could apply for a temporary use but it must meet certain requirements and regulations. If it was there permanently, they would have to apply for a permit meeting all the necessary requirements.

Chairwoman Minton asked if there were any further testimony from the City and if the Board had any questions of the City as to the initial testimony. John George asked Officer Coss when he last checked the property and he replied yesterday.

David Luke came forward and stated he was here for discovery and seeking to have communication and that he does not take oaths, especially oaths under duress. Mr. Luke claimed that if he did not show up for the hearing, further action would be taken against him by the City.

Chairwoman Minton asked Assistant City Attorney Walker how to proceed with this case. Mr. Walker stated that the respondent is required to take an oath if he is going to present factual testimony. If the respondent does not take the oath his testimony will not be treated as factual evidence but as argument and the Board may give that such weight as it wishes under the circumstances. He can say the things he wishes to say, however, it's not given the full force of fact as it would be given as formal evidence.

Mr. Luke asked Officer Coss when he discovered the containers and how the information came to him? Officer Coss explained that he learned of them November 15, 2013 from a complaint not specific to the containers but specific to getting Hibiscus Park cleaned up. Officers did a street by street inspection of the entire area. Mr. Luke asked if the complaint came from Cairo Venegas from Ft. Pierce Authority. Officer Coss said no, it came from Cecilia DeFilipas from Hibiscus Park Association. Mr. Luke gave his explanation on how the containers came to be exposed. He explained that the containers have been there since the hurricanes and since his parents sold their property. He asked that the code specific to the containers and specific to the violation be read out loud. Officer Coss read codes 22-25 (b) (3) (e) out loud. Mr. Luke asked if he could read his list of questions to the board stating he has no answers to his questions and he requests the answers to enable him to come to the board and have a discussion about the issues Officer Coss claims he is in violation of.

Chairwoman Minton asked if City had received this list of questions and Mrs. Arraiz stated a Public Records Request had been submitted to the City Clerk's office and we provided the information requested in regards to code enforcement. We have not been informed of whether the City Clerk's office sent the information to Mr. Luke.

Chairwoman Minton stated that our job is to help the City stay in compliance and asked Mr. Luke if he understood what the problem is about the two cargo containers. Mr. Luke said no and that is the reason he asked for clarity and asked that the hearing be tabled until he can have answers to his questions.

Chairwoman Minton asked Mr. Walker to give some direction on when someone requests that an item be tabled. Mr. Walker responded by reading Rule 10 on continuance. The proper procedure was not done and

therefore it is not recommended to continue this hearing. She did ask Mr. Luke if he received the Notice of Hearing and he did receive it but did not receive the answers to his questions and clarity of the violations.

Chairwoman Minton asked if there were any questions from the Board. Al Bernetti asked how long Mr. Luke has lived in the city and he stated 10 to 12 years. She then asked Officer Coss if there was anything specific in the code that says cargo containers are not allowed or is it just that unanchored storage containers are not allowed. Officer Coss explained that there was no explicit prohibition; there is a table that is rather lengthy that shows what uses are permitted in zoning but every item cannot be addressed in this code. Mrs. Arraiz stated that Chapter 22 lists what uses are allowed and if it's not listed as allowed it is prohibited. Mr. Walker asked a question about it being an accessory structure. Mrs. Arraiz stated that if it was used temporarily for storage they listed what temporary uses were allowed and if it was determined as being put in as a replacement for a shed they listed what permanent uses were allowed. Mr. Walker asked Officer Coss to put up on the screen those two provisions. Mrs. Arraiz read Section 22-65 regarding temporary uses and that Mr. Luke's containers do not fall under this description. She then read the definition of an accessory use and explained that the chart that was mentioned earlier was a part of an amendment to this section. Al Bernetti asked Officer Coss whether a temporary structure or an accessory building would have to be submitted to the building department. Officer Coss responded yes and it would also have to go to Planning and Zoning Department to make sure that it was an approved use. Mr. Bernetti asked if a red flag would have come up 10 years ago if he had gotten a permit and Officer Coss said yes. Mr. Luke stated that there was a waiver from all aspects following the hurricane dilemma of buildings and structures necessary to help facilitate the rebuilding of the damages done by the hurricanes. Geraldine Murphy asked Mr. Luke why he still had the containers 10 years later if they were supposed to help facilitate the rebuilding of his property after the hurricanes stating the waiver has already passed. Mr. Luke responded by asking the Board to observe what they are reading in its entirety and not to pick out certain parts and that he would not answer any more questions until he has had his notice fulfilled.

Mr. Walker asked Staff if the issue comes down to failure to have a permit for an accessory structure which section of the code imposes the permitting requirement? Mrs. Arraiz stated that the code section is 5-1.105 permits (1) and read it to the Board. Mr. Walker's follow up question was he charged with a violation of that section and Mrs. Arraiz stated that he was not.

Chairwoman Minton stated that we were not there to consider permitting but to consider what the violations were that was being brought before the Board. She asked if the items did come in after the hurricanes were there anything in the code that said temporary containers could stay there. Mrs. Arraiz said she would have to refer that question to the Building Department. She asked City to state specifically what Mr. Luke is being cited with and Mrs. Arraiz said he was being cited as a zoning code violation because it does not comply with the temporary use or the accessory buildings part of the Planning & Zoning code. Mr. Luke asked that the City read Section 22-65 in its entirety regarding temporary uses. Chairwoman Minton asked if the City would put it up on the screen. Mrs. Arraiz stated that Mr. Luke was cited under 22-25 (b) sub-sections d & e. She stated that the problem the City is having is that between now and the time we issued the notice of violation the code section was amended. Mr. Bernetti asked Mr. Luke if he had a survey verifying the property measurement. Mr. Luke said he had the property surveyed and staked and gave a 10' buffer in order to comply and asked if someone in the chambers would go and do the survey and Mr. Bernetti said they were not engineers. Mr. Walker said if the charge is a violation of setback the City has a duty of producing evidence of the set back and the distance to establish the violation.

Chairwoman Minton asked if the City had anything further. Margaret Arraiz stated that the City was going to request to continue this until the next hearing, amend the notice of violation to remove the setback but include the failure to obtain a permit. Mr. Walker stated if the citation is insufficient because it does not refer to the appropriate sections dismissal is appropriate, not continuance. They can then re-file. Mrs. Arraiz clarified that due to the amendment of the code section, the Board could dismiss this or we can withdraw and we can reissue a new notice of violation using the newly adopted code as well as the one we failed to include.

Chairwoman Minton asked for a motion. John George made a motion to dismiss the case and there being no second the motion failed. A second motion was made by Terry Wolters to allow the City to withdraw the case at this time without prejudice. Mike Monti seconded the motion. Chairwoman Minton asked for discussion and Al Bernetti asked if we could continue this. Mr. Walker stated the City has the desire to re-charge the violator and the appropriate remedy would be to dismiss or withdraw the current petition not to continue it. There being no further discussion a vote was taken. All Board Members present were in favor and the motion carried.

The next item on the agenda is a **Request for Reduction of Lien.**

Item 5B-8 is case # 01-410 & #01-1000; 2604 Avenue, Ft. Pierce, FL. The previous owner was Mary S. Marshall, 2604 Avenue E, Ft. Pierce, FL and currently owned by P. Serge Camille, 4560 NW 49th Court, Coconut Creek, FL. The code section in violation was 16-48 (1) (5) for outside storage.

Margaret Arraiz read the Facts of the Case. The case was initiated February 27, 2001 and came before the Code Enforcement Board on June 19, 2001. The Code Enforcement Board gave the property owner 10 days to comply for be fined \$25.00 per day not to exceed \$1000.00. An inspection was made on July 2, 2001 and the property was not in compliance; the fines began. On August 11, 2001 the fines were stopped at \$1000.00. A lien was recorded on July 12, 2001. On February 21, 2014 the City received a lien reduction request from Mr. Camille. Mr. Camille purchased the property at a tax sale and due to the fact there are thousands of dollars he has to deal with in lot clearing and demolition liens the City is willing to waive the \$1000.00 lien.

Serge Camille was sworn in for testimony. He stated the lien was on the property before he bought it and did not do a search on it. He stated he has not done any improvements because it is vacant land and the value is decreased.

Chairwoman Minton asked Mrs. Arraiz if Mr. Camille is responsible for the lot clearings and the demolitions and she stated he is. She then asked Mr. Camille how many pieces of property he purchased from the city and he stated four and all four has liens. She then asked Mr. Camille if he resided in Coconut Creek and how often he comes to Ft. Pierce. He stated he could come up every 3 or 4 weeks to make sure everything is kept up.

Chairwoman Minton asked if the City had any questions of Mr. Camille and if the Board had any questions of Mr. Camille or the City and neither did. She asked for any discussion. There being no discussion he asked for a motion.

Michael Monti made a motion to reduce the lien in the amount of \$1000.00 to \$0. This is based on Rule 17 of the Rules of Procedure. Terry Wolters seconded the motion.

Chairwoman Minton asked if there were any discussions and Geraldine Murphy asked what the date of purchase was and if the violation letters had gone to him. Mrs. Arraiz stated that the current owner received 6 lot clearing notices which were complied. Mr. Camille is here because we learned he is the new owner and we sent a reminder letter to him notifying him there was a lien on the property. Upon receipt of this letter he came in and asked to resolve all of the property problems. When he received the lot clearing notices, he cut the grass and came into compliance. He did not know about the 2001 lien against the property.

After no further discussion a vote was taken; all Board Members present were in favor and the motion carried. Chairwoman Minton reminded Mr. Camille that it would now go to the City Commission for final approval.

The next item on the agenda is a **Review & Determination.**

Item 5A-2 is case # 13-2347; 2305 Delaware Avenue, Ft. Pierce, FL owned by Brian Teller, 2305 Delaware Avenue, Ft. Pierce, FL for code section(s) 5-368 (4) property maintenance, 5-371 exterior property maintenance, 16-46, 16-47, 16-48 (1) (5) outside storage, 11-11 storage of commodities, and 16-46, 16-47, 16-48 (10) (D) outside storage.

There were no questions or discussions.

A motion was made by Michael Monti and seconded by Terry Wolters that the Code Board find the violator to have been in violation of code section(s) 5-368 (4), 5-371, 16-46, 16-47, 16-48 (1) (5), 11-11 and 16-46, 16-47, 16-48 (10) (D) but that the violations has been cured as of the date of this hearing. The violators shall be warned that if these violations reoccur, pursuant to Florida Statute 162.09, the Code Officer may notify the Code Board and request that a fine be entered

There was no discussion from the Board.

A vote was taken and all in favor were Board Members Bernetti, Monti, Murphy, Wolters, Vice Chair George, and Chairwoman Minton. Those opposed: none.

The next item on the agenda was **Violation Cases With No One Present.**

Item 5B-3; case # 14-0010; 123 S 8th Street, Ft. Pierce, FL 34950 owned by Joseph Lloyd, 58 Somers Street, Brooklyn, NY 11233. The code sections in violation are 22-26 (E) (4) open space character.

Item 5B-4; case # 14-0240; 2512 Avenue J, Ft. Pierce, FL owned by Jessie McMinns, 2260 NW 52nd Street, Miami, FL 33142. The code sections in violation are 5-369 vacant buildings.

Item 5B-6; case # 14-0252; 1706 Avenue D, Ft. Pierce, FL owned by Ng Lai Kwan (Tr), 6542 Hypoluxo Rd, #328, Lake Worth, FL 33467. The code sections in violation are 15-5 (7) signs prohibited.

There was no discussion from the Board.

A motion was made by Mike Monti and seconded by Terry Wolters that the Board find a violation does exist and the violators that are not present are deemed to have admitted guilt. It was further moved that they be given the number of days recommended by the Code Enforcement Officer on the case summary sheet to come into compliance or they be fined the amount also shown on the summary sheet.

A vote was taken and all Board Members present were in favor.

The next items on the agenda are **Old Business & New Business Combined.**

Chairwoman Minton asked if the Board was satisfied with the new minute's format. All were satisfied however she asked for a snippet of what the violations were and Margaret Arraiz said we could do that and further stated that we were going to try the new Agenda Quick for the next meeting in May and that everything will be available on line. She stated that the minutes will also be available on line along with the audio tapes.

Mr. Walker asked about the program Dragon which is a program that automatically transcribes and Mrs. Arraiz stated that we had no knowledge of that program. Geraldine Murphy stated that they use it at their community but there are problems with it because it does not record exactly what happens.

John George asked about the signage that the Code Enforcement Board is doing something with. Mrs. Arraiz said this is something they are working on rewriting the sign ordinance, it is on the bottom of the list due to the Commissioners moratorium but we want to rewrite it to be more business friendly. Mr. George also asked about the CPTED and she said the resolutions are here and close to going to legal for review.

Margaret Arraiz asked if the Board wanted to ask the attorney about amending the 7 Criteria for considering in making a lien reduction to make them more user friendly and provide you with better information. Mr. Walker stated that those factors are in there because they are in the statute. Mrs. Arraiz stated that the 3 are in the statute but not all 7. Mr. Walker asked Mrs. Arraiz to send a memo and he could draft something for the Board to consider. The Board did agree that this would be helpful in determining their recommendations.

Mr. George mentioned that Mr. Scott had resigned and Chairwoman Minton asked that the City write him thanking him for his service.

Margaret Arraiz stated that the July hearing will be cancelled and the next meeting after May will be in September.

Misty Minton reminded the Board that the next meeting would be May 14, 2014.

There being no further business, Chairwoman Minton declared the meeting adjourned.

Meeting adjourned at 11:30 AM.

ATTEST:


SECRETARY TO THE CODE BOARD


CODE ENFORCEMENT MANAGER

A Taped Recording of this Meeting has been saved.

PROPERTY RECORD CARD

Juan E Garcia Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 2729 S US HWY 1
 Sec/Town/Range: 22 :35S :40E
 Map ID: 24/22S
 Zoning: C3

ParcelID: 2422-701-0005-000-9
 Account #: 30412
 Use Type: COM SHOP CNT
 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Juan E Garcia
 Address: 4010 62nd Terr East
 Bradenton FL 34203-7043

Legal Description

TROPICAIRE S/D BLK 1 LOTS 5 AND 6 (OR 2185-606: 2674-2711, 2712)

Sales Information

| Date | Price | Code | Deed | Book/Page |
|-----------|---------|------|------|-------------|
| 10/9/2006 | 711000 | 01 | WD | 2674 / 2711 |
| 2/28/2005 | 1125000 | 00 | WD | 2185 / 0606 |
| 1/29/2003 | 364500 | 01 | SP | 1651 / 0363 |
| 7/24/2001 | 100 | 01 | CT | 1422 / 2499 |
| 5/1/1987 | 467000 | 00 | CV | 0544 / 1918 |
| 12/1/1979 | 440000 | 00 | CV | 0322 / 0472 |
| 3/1/1979 | 0 | 01 | CV | 0307 / 2489 |
| 5/1/1978 | 100000 | 00 | CV | 0287 / 1387 |

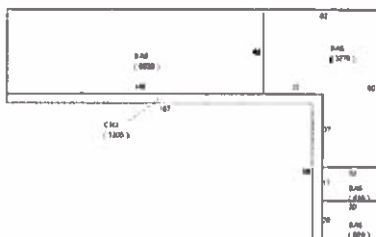
Assessment 2013

2013 Final: 558700
 Assessed: 558700
 Ag.Credit: 0
 Exempt:
 Taxable:
 Taxes: 14279.99

Total Land and Building

Land Value: 146900 Acres: 0.75
 Building Value 411800
 Finished Area: 10906 SqFt

BUILDING INFORMATION



Exterior Features

View: - RoofCover: TG - Tar & Gravel RoofStruct: BR - BarJst/Rigid
 ExtType: NSCT - SHOP CTR YearBlt: 1978 Frame: -
 Grade: Y_C+ - Commer C+ EffYrBlt: 1978 PrimeWall: BS - CB Stucco
 StoryHght: 0010 - 1 Story No.Units: 10 SecWall: -

Interior Features

BedRooms: 0 Electric: MX - MAXIMUM PmintWall: DW - Drywall
 FullBath: 0 HeatType: FHA - FrcdHotAir AvgHtFl: -
 1/2Bath: 0 HeatFuel: ELEC - Electric Prm.Flors: CU - Carpet
 %A/C: 100 %Heated: 100 %Sprinkled: 0

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. |
|--------------------|-----|------|-------|-------|-------|--------|
| ASP2 - ASP2 LOW | Y | 1 | 12950 | AV | AV | 1977 |
| CURB - CEMENT CURB | Y | 1 | 504 | AV | AV | 1977 |

Land Information

| No. | Use Type | Type | Measure | Depth |
|-----|-------------------|--------------|---------|-------|
| 1 | 1600-COM SHOP CNT | 101 -Sq Feet | 32637 | |

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: CODE ENFORCEMENT LIEN REDUCTION
2729 S US Highway 1, Fort Pierce, FL

DATE: April 7, 2014

The following is a breakdown of the above property:

| | Costs (General Fund) | Interest & Penalties | Administrative Fees |
|----------------|----------------------|----------------------|---------------------|
| CASE # 12-1659 | \$109,500.00 | \$0.00 | \$40.00 |
| | | | |
| | | | |
| TOTAL | \$109,500.00 | \$0.00 | \$40.00 |

CAN BE WAIVED (ALL COSTS)

\$109,540.00

City Commission Regular Meeting

Agenda Item # 9. m.

Meeting Date: 04/07/2014

Re: Georgia Avenue Drainage Basin Outfall Pipe Emergency Drainage Repairs -
Ref. Bid No. 2014-016

Submitted For: John Andrews, City Engineer, Engineering

SUBJECT:

Request approval to piggyback to Collier County "Storm Drain Cleaning, Documenting & Repairs" Contract No. ITB 10-5507 with Shenandoah General Construction Company, and award of contract for the emergency stormwater lining of 980 LF of 60" RCP storm drain to Shenandoah in the amount of \$315,194.00.

SUMMARY:

During every significant rainfall event, we experience multiple issues associated with the deterioration of the 60" outfall pipe servicing the 217 acre Georgia Avenue Drainage Basin. Staff has verified that the decrepit 60" outfall has copious joints that have separated and the entire system is in dire need of being rehabilitated (slip-lined). Areas of ground infiltration have been identified along the discharge route, including within the FEC Railroad right-of-way and the Indian River Drive right-of-way.

RECOMMENDATION:

Staff recommends approval of the piggyback of the Collier County contract and the subsequent award of the lining of the Georgia Drainage Basin 60" outfall pipe.

ALTERNATIVES:

Advertise for bids.

RESPONSIBLE STAFF:

Engineering Department

COORDINATED WITH:

Public Works Department

Fiscal Impact

Budgeted Y/N: N/A
Fiscal Year: N/A
Account: 403-4300-538-3490
Amount: \$315,194.00

FISCAL IMPACT:

The \$315,194.00 shall be encumbered from the Stormwater Management Utility Account No. 403-4300-538-3490.

Attachments

[Outfall Map](#)

[Photo 1](#)

[Photo 2](#)

[Collier County Invitation to Bid](#)

[Collier County Agreement](#)

[Collier County Contract Renewal](#)

[Shenandoah's Proposal](#)



60" RCP TO BE LINED



CITY OF FORT PIERCE
DEPARTMENT OF ENGINEERING

IHGC/FEC RR/ IRD



This map is a conceptual tool utilized for project development only. Though the information provided by this map is accepted to be accurate for the City's administrative purposes, it is not to be used for technical purposes. Any information, including but not limited to software and data, received from the City of Ft Pierce in fulfillment of a public records request is provided "AS IS" without warranty of any kind. Any information provided by this map to be used for purposes other than reference must be confirmed by field survey.

SHEET
1 OF 1

SCALE = N.T.S.







INVITATION TO BID

Date: September 22, 2010

From: Brenda Brillhart, Purchasing Agent
(239) 252-8446 (Telephone)
(239) 252-6697 (FAX)
BrendaBrilhart@colliergov.net (Email)

To: Prospective Vendors

Subject: ITB 10-5507 – Storm Drain Cleaning, Documenting & Repairs

As requested by the Transportation Department, the Collier County Board of County Commissioners Purchasing Department has issued this ITB for the purpose of obtaining fair and competitive responses. Please refer to the Public Notice included in this document for the opening date and time and any applicable pre-ITB conference.

All questions regarding this ITB must be submitted online on the Collier County Purchasing Department E-Procurement website: www.colliergov.net/bid. All responses to questions will be posted on the website with electronic notification to all prospective vendors.

We look forward to your participation in Collier County's competitive procurement process.

cc: Alexander Blanco, Project Manager

Note: All ITB responses submitted manually must be submitted as one original, and one exact duplicate copy, including any required forms.



Invitation to Bid

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Public Notice

Sealed bid responses for **ITB 10-5507 – Storm Drain Cleaning, Documenting & Repairs** will be received electronically or manually only at the Collier County Purchasing Department Director's Office, 3301 Tamiami Trail East, Building "G", Naples, Florida 34112 until **2:30 p.m.** Collier County local time on October 14, 2010. Solicitation responses received after the stated time and date will not be accepted.

ITB 10-5507 Storm Drain Cleaning, Documenting & Repairs

A pre-bid conference will not be held for this solicitation. All questions regarding this ITB must be submitted online on the Collier County Purchasing Department E-Procurement website: www.colliergov.net/bid. All responses to questions will be posted on the website with electronic notification to all prospective vendors.

All solicitation responses must be made on the official ITB response forms included and only available for download from the Collier County Purchasing Department E-Procurement website noted herein. **ITB Documents obtained from sources other than Collier County Purchasing may not be accurate or current.**

Collier County encourages vendors to utilize recycled paper on all manual bid response submittals.

Collier County does not discriminate based on age, race, color, sex, religion, national origin, disability or marital status.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: /s/ Steve Carnell
Steve Carnell, C.P.M.
Purchasing/General Services Director

Publicly posted on the Collier County Purchasing Department website: www.colliergov.net/purchasing and in the lobby of the Purchasing Building on **September 22, 2010**.

Exhibit I: Scope of Work, Specifications and Response Format

As requested by the Collier County Road Maintenance Department (hereinafter, the "Division or Department"), the Collier County Board of County Commissioners Purchasing Department (hereinafter, "County") has issued this Invitation to Bid (hereinafter, "ITB") with the intent of obtaining bids from interested and qualified firms in accordance with the terms, conditions and specifications stated or attached.

The Vendor, at a minimum, must achieve the requirements of the Scope of Work and Specifications stated herein.

1. Brief Description of Purchase

Project Location: Collier County

Scope of work: The work typically consists of small projects on an as needed basis:

- The cleaning/flushing of the storm drain pipe, which may include temporary plugging and dewatering of individual storm drain segments;
- Vacuuming of the storm drain pipe and appurtenances (inlet boxes);
- Vacuuming of Continuous Deflection Separation (CDS) Systems;
- Videotaping in DVD format of the segment cleaned when authorized;
- Providing a written report of the condition of the facilities to the County;
- Furnishing all of the associated equipment, labor, and materials required to meet the work objectives.
- This is an on-call annual contract – projects are small and can be located anywhere in Collier County.
- **Anticipated annual budget will be approximately \$250,000 (average job is under \$25,000).**

2. Detailed Scope of Work – See Exhibit A

3. Projected Timetable

| Event | Date |
|---|---------------------------|
| Issue Solicitation Notice | September 22, 2010 |
| Last Date for Receipt of Written Questions | October 5, 2010 |
| Addendum Issued | By October 7, 2010 |
| Solicitation Closing Date and Time | October 14, 2010 |
| Evaluation of Submittals | Within 10 days of opening |
| Board of County Commissioner's Contract Approval Date | November 2010 |

4. Response Format

- Attachment 1: Vendor's Check List
- Attachment 2: Bid Response Form
- Attachment 3: Insurance and Bonding Requirements
- Attachment 4: Local Vendor Preference Affidavit
- Attachment 5: Immigration Affidavit

Exhibit II: General Bid Instructions

1. Purpose/Objective

As requested by the Collier County departments or divisions identified in Exhibit 1, the Collier County Board of County Commissioners Purchasing Department (hereinafter, the County) has issued this Invitation to Bid (hereinafter, the "ITB", or "Bid") with the sole purpose and intent of obtaining bid responses from interested and qualified firms in accordance with the terms, conditions, and specifications stated and/or attached herein/hereto. The successful vendor will hereinafter be referred to as the "Vendor"

All bids must be submitted on the Bid form furnished by the County noted in Attachments 1, 2, 3, 4, and 5 of this ITB. No bid will be considered unless the Bid form is properly signed. Vendor is responsible to read and follow the instructions very carefully, as any misinterpretation or failure to comply with these instructions could lead to the bid submitted as being rejected as non-responsive.

2. Pricing

Vendors must provide unit prices using the unit of measured specified by the County. All prices will remain firm for a period of one hundred and eighty (180) calendar days from date of bid opening.

3. Alternate Bid Pricing

In the event that alternate pricing is requested, it is an expressed requirement of the bid to provide pricing for all alternates as listed. The omission of a response or a no-bid or lack of a submitted price will be the basis for the rejection of the submitted bid response. All bids responses received without pricing for all alternates as listed will be considered technically non-responsive and will not be considered for award.

4. Equal Product

Manufacturer's name, brand name and/or model number are used in these specifications for the purpose of establishing minimum requirements of level of quality, standards of performance and/or design required, and is in no way intended to prohibit the bidding of other manufacturer's items of equal or similar material. An equal or similar product may be bid, provided that the product is found to be equal or similar in quality, standard of performance, design, etc. to the item specified. Where an equal or similar is bid, the Bid must be accompanied with two (2) complete sets of factory information sheets (specifications, brochures, etc.) and test results, if applicable, of unit bid as equal or similar.

Equal product samples, if required for evaluation, and at no cost to the County, must be submitted with Bid. Unless otherwise directed in the solicitation, the bid will not be considered unless samples are delivered to specified address by bid due date. The County shall be sole judge of equality or similarity, and its decision shall be final in the best interest.

5. Discounts

Any discounts or terms must be shown on the Bid form. Such discounts, if any, may be considered in the award of tie bids. In no instance should payment terms less than fifteen (15) calendar days be offered.

6. Exceptions

Vendors taking exception to any part or section of these specifications shall indicate such exceptions on a separate sheet entitled "EXCEPTIONS TO SPECIFICATIONS." Failure to indicate any exceptions to the specifications shall be interpreted as the Vendors intent to fully comply with the specifications as written. The County, at its sole discretion, shall determine if the exceptions are material in nature, and if the Vendor's exceptions may be declared grounds for rejection of bid proposal.

7. Addenda

The County reserves the right to formally amend and/or clarify the requirements of the bid specifications where it deems necessary. Any such addendum/clarification shall be in writing and shall be distributed electronically to all parties who received the original bid specifications prior to the deadline for submission of Bids. All changes to this ITB will be conveyed electronically through a notice of addendum or questions and answers to all vendors registered under the applicable commodity code(s) at the time when the original ITB was released, as well as those vendors who downloaded the ITB document. Additionally, all addendums are posted on the Collier County Purchasing Department E-Procurement website: www.colliergov.net/bid. Before submitting a bid response, please make sure that you have read all, understood clearly and complied completely with any changes stated in the addenda as failure to do so may result in the rejection of your submittal.

8. Bid Submission

All electronic bids shall be submitted online via the Collier County Purchasing Department e-procurement website: www.colliergov.net/bid.

All paper bids shall be submitted to the County Purchasing Director, Collier County Government Complex, Purchasing Building "G", Naples, FL 34112, by the date and time as stated in the Legal Notice. The County assumes no responsibility for bid responses received after the due date and time, or at any office or location other than that specified herein, whether due to mail delays, courier mistakes, mishandling, inclement weather or any other reason. Late bid responses shall be returned unopened, and shall not be considered for award.

Vendors must submit **two (2) paper copies with one copy clearly labeled "Master," and one (1) compact disks (CD's) with a copy of the proposal on each CD in Word, Excel or PDF.** List the Solicitation Number and Title on the outside of the box or envelope. All bids sent by courier service **must** have the bid number and title on the **outside** of the courier packet.

Vendors who wish to receive copies of bids after the bid opening may view and download same from the Collier County Purchasing Department Internet bid site.

9. Questions

If the vendor should be of the opinion that the meaning of any part of the Bid Document is doubtful, obscure or contains errors or omissions it should report such opinion to the Purchasing Agent before the bid opening date. Direct questions related to this ITB only to the Collier County Purchasing Department Internet website: www.colliergov.net/bid. Questions will not be answered after the date noted on the ITB.

Vendors must clearly understand that the only official answer or position of the County will be the one stated on the Collier County Purchasing Department E-Procurement website. For general questions, please call the referenced Purchasing Agent identified in the Public Notice.

10. Protests

Any actual or prospective respondent to an Invitation to Bid, who has a serious and legitimate issue with the ITB shall file a written protest with the Purchasing Director prior to the opening of the bid or the due date for acceptance of bid. All such protests must be filed with the Purchasing Director no later than 11:00 a.m. Collier County time on the advertised date for the opening of the bid or the acceptance date for the Request for Proposals.

11. Award Criteria

ITB award criteria is as follows:

- All questions on the Bid document shall be answered as to price(s), time requirements, and required document submissions.
- Award shall be based upon the responses to all questions on the Bid Response Page(s).
- Further consideration may include but not be limited to, references, completeness of bid response and past performances on other County bids/projects.
- Prices will be read in public exactly as input on the electronic bid response form or written on the manually submitted Bid Response Page(s) at the time of the bid opening; however, should an error in calculations occur whenever unit pricing and price extensions are requested, the unit price shall prevail. Mathematical miscalculations may be corrected by the County to reflect the proper response.
- The County's Purchasing Department reserves the right to clarify a vendor's proposal prior to the award of the solicitation.
- It is the intent of Collier County to award to the lowest, qualified and responsive vendor(s) in accordance with the Method of Source Selection denoted in the terms and conditions in Exhibit II on the basis of:
 - One Awardee and determined by Total Cost,
 - If Bid cannot be awarded as noted herein, the Collier County Board of County Commissioners shall make an award that best suits the needs and is in the interest of Collier County.
 - The contract will be in the form of a standard County contract and then Purchase Order driven.

12. Rejection and Waiver

The County reserves the right to reject any and all bids, to waive defects in the form of bid, also to select the bid that best meets the requirements of the County. Vendors whose bids, past performance or current status do not reflect the capability, integrity or reliability to fully and in good faith perform the requirements denoted may be rejected as non-responsive. Bids that do not meet all necessary requirements of this solicitation or fail to provide all required information, documents or materials may be rejected as non-responsive.

13. Local Vendor Preference (LVP)

The County is using the Competitive Sealed Quotation methodology of source selection for this procurement, as authorized by Ordinance Number 87-25, and Collier County Resolution Number 2008-181 establishing and adopting the Collier County Purchasing Policy.

The Collier County Board of County Commissioners has adopted a Local Preference "Right to Match" policy to enhance the opportunities of local businesses to receive awards of Collier County purchases.

A "local business" is defined as a business that has a valid Business Tax Receipt, formerly known as an Occupational License issued by either Collier or Lee County for a minimum of one (1) year prior to a Collier County quote or proposal submission that authorizes the business to provide the commodities or services to be purchased, and a physical business address located within the limits of Collier or Lee Counties from which the vendor operates or performs business. Post Office Boxes are not verifiable and shall not be used for the purpose of establishing said physical address. In addition to the foregoing, a vendor shall not be considered a "local business" unless it contributes to the economic development and well-being of either Collier or Lee County in a verifiable and measurable way. This may include, but not be limited to, the retention and expansion of employment opportunities, the support and increase to either Collier or Lee County's tax base, and residency of employees and principals of the business within Collier or Lee County. Vendors shall affirm in writing their compliance with the foregoing at the time of submitting their quote or proposal to be eligible for consideration as a "local business" under this section.

When a qualified and responsive non-local business submits the lowest price quote, and the quote submitted by one or more qualified and responsive local businesses is within ten percent (10%) of the price submitted by the non-local business, then the local business with the apparent lowest quote offer (i.e. the lowest local vendor) shall have the opportunity to submit an offer to match the price(s) offered by the overall lowest, qualified and responsive vendor. In such instances, staff shall first verify if the lowest non-local vendor and the lowest local vendor are in fact qualified and responsive vendors.

Next, the Purchasing Department shall determine if the lowest local vendor meets the requirements of Section 287.087 F.S.

If the lowest local vendor meets the requirements of 287.087, F.S., the Purchasing Department shall invite the lowest local vendor to submit a matching offer to the Purchasing Department which shall be submitted within five (5) business days thereafter. If the lowest local vendor submits an offer that fully matches the lowest quote from the lowest non-local vendor tendered previously, then award shall be made to the local vendor. If the lowest local vendor declines or is unable to match the lowest non local quote price(s), then award will be made to the lowest overall qualified and responsive vendor. If the lowest local vendor does not meet the requirement of Section 287.087 F.S. and the lowest non-local vendor does, award will be made to the vendor that meets the requirements of the referenced state law.

Vendor must complete and submit with its quote response the *Affidavit for Claiming Status as a Local Business* which is included as part of this solicitation. **Failure on the part of a Vendor to submit this Affidavit with their quote response will preclude said Vendor from being considered for local preference under this solicitation.**

A Vendor who misrepresents the Local Preference status of its firm in a quote submitted to the County will lose the privilege to claim Local Preference status for a period of up to one (1) year.

The County may, as it deems necessary, conduct discussions with any of the competing vendors determined to be in contention for being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to solicitation requirements.

14. Immigration Affidavit Certification

Statutes and executive orders require employers to abide by the immigration laws of the United States and to employ only individuals who are eligible to work in the United States.

The E-Verify program, operated by the Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA), provides an Internet-based means of verifying employment eligibility of workers in the United States; it is not a substitute for any other employment eligibility verification requirements. The program will be used for Collier County formal Invitations to Bid (ITB) and Request for Proposals (RFP) including professional services and construction.

Exceptions to the program:

- Commodity based procurement where no services are provided.
- In exceptional cases, the Purchasing Department may waive the requirement.

Vendors are required to enroll in the E-Verify program within thirty (30) calendar days of contract award, and use E-Verify within thirty (30) calendar days thereafter to verify employment eligibility of their employees assigned to the contract at the time of enrollment in E-Verify. Additionally, vendors shall require all subcontracted vendors to flow down the requirement to use E-Verify to subcontractors.

If the vendor is already enrolled in E-Verify, they must use E-Verify within thirty (30) calendar days of contract award to verify employment eligibility of their employees assigned to the contract.

Following this initial period they must initiate verification of all new hires of the Vendor and of all employees newly assigned to the contract within three (3) business days of their date of hire or date of assignment to the contract.

Vendors shall be required to provide the Collier County Purchasing Department an executed affidavit vowing they shall comply with the E-Verify Program for each service/project. The affidavit is attached to the solicitation documents. If the bidder/Vendor does not comply, they may be deemed non-responsive.

For additional information regarding the Employment Eligibility Verification System (E-Verify) program visit the following website: <http://www.dhs.gov/E-Verify>. It shall be the vendor's responsibility to familiarize themselves with all rules and regulations governing this program.

Vendor acknowledges, and without exception or stipulation, that any firm(s) receiving an award shall be fully responsible for complying with the provisions of the Immigration Reform and Control Act of 1986 as located at 8 U.S.C. 1324, et seq. and regulations relating thereto, as either may be amended. Failure by the awarded firm(s) to comply with the laws referenced herein shall constitute a breach of the award agreement and the County shall have the discretion to unilaterally terminate said agreement immediately.

15. Lobbying

All firms are hereby placed on NOTICE that the County Commission does not wish to be lobbied either individually or collectively about a project for which a firm has submitted a bid. Firms and their agents are not to contact members of the County Commission for such purposes as meetings of introduction, luncheons, dinners, etc. During the bidding process, from bid opening to final Board approval, no firm or its agent shall contact any other employee of Collier County with the exception of the Purchasing Department.

16. Certificate of Authority to Conduct Business in the State of Florida (FI Statute 607.1501)

In order to be considered for award, firms submitting a response to this solicitation shall be required to provide a certificate of authority from the Florida Department of State Divisions of Corporations in accordance with the requirements of Florida Statute 607.1501 (www.sunbiz.org/search.html). A copy of the document shall be submitted with the solicitation response and the document number shall be identified. Firms who do not provide the certificate of authority at the time of response shall be required to provide same within five (5) days upon notification of selection for award. If the firm cannot provide the document within the referenced timeframe, the County reserves the right to award to another firm.

17. General Information

When it is deemed by the County that a bid cannot be awarded as originally intended, the County reserves the right to award this bid through an approach which is the best interest of the County. Alternate bids will not be considered unless authorized by the ITB. In case of identical bids tying as low bid, the County shall ask vendors to submit certification that they have a drug-free workplace in accordance with Section 287.087 Florida Statutes. Should all vendors provide said certification, the County will give local vendor preference.

18. Bid Award Process

Award of contract will be made by the Board of County Commissioners in public session. Awards pertaining to the Collier County Airport Authority will generally be made by that agency's approval Board.

Award shall be made in a manner consistent with the County's Purchasing Policy. Award recommendations will be posted outside the offices of the Purchasing Department as well as on the Collier County Purchasing Department website on Wednesdays and Thursdays prior to the County Commission meetings.

Any actual or prospective respondent who desires to formally protest the recommended contract award must file a notice of intent to protest with the Purchasing Director within two (2) calendar days (excluding weekends and County holidays) of the date that the recommended award is posted. Upon filing of said notice, the protesting party will have five (5) days to file a formal protest and will be given instructions as to the form and content requirements of the formal protest. A copy of the "Protest Policy" is available at the office of the Purchasing Director.

Exhibit III: Standard Purchase Order Terms and Conditions

1. Offer

This offer is subject to cancellation by the COUNTY without notice if not accepted by VENDOR within fourteen (14) days of issuance.

2. Acceptance and Confirmation

This Purchase Order (**including all documents attached to or referenced therein**) constitutes the entire agreement between the parties, unless otherwise specifically noted by the COUNTY on the face of this Purchase Order. Each delivery of goods and/or services received by the COUNTY from VENDOR shall be deemed to be upon the terms and conditions contained in this Purchase Order.

No additional terms may be added and Purchase Order may not be changed except by written instrument executed by the COUNTY. VENDOR is deemed to be on notice that the COUNTY objects to any additional or different terms and conditions contained in any acknowledgment, invoice or other communication from VENDOR, notwithstanding the COUNTY'S acceptance or payment for any delivery of goods and/or services, or any similar act by VENDOR.

3. Inspection

All goods and/or services delivered hereunder shall be received subject to the COUNTY'S inspection and approval and payment therefore shall not constitute acceptance. All payments are subject to adjustment for shortage or rejection. All defective or nonconforming goods will be returned pursuant to VENDOR'S instruction at VENDOR'S expense.

To the extent that a purchase order requires a series of performances by VENDOR, the COUNTY prospectively reserves the right to cancel the entire remainder of the Purchase Order if goods and/or services provided early in the term of the Purchase Order are non-conforming or otherwise rejected by the COUNTY.

4. Shipping and Invoices

a) All goods are FOB destination and must be suitably packed and prepared to secure the lowest transportation rates and to comply with all carrier regulations. Risk of loss of any goods sold hereunder shall transfer to the COUNTY at the time and place of

delivery; provided that risk of loss prior to actual receipt of the goods by the COUNTY nonetheless remain with VENDOR.

- b) No charges will be paid by the COUNTY for packing, crating or cartage unless otherwise specifically stated in this Purchase Order. Unless otherwise provided in Purchase Order, no invoices shall be issued nor payments made prior to delivery. Unless freight and other charges are itemized, any discount will be taken on the full amount of invoice.
- c) All shipments of goods scheduled on the same day via the same route must be consolidated. Each shipping container must be consecutively numbered and marked to show this Purchase Order number. The container and Purchase Order numbers must be indicated on bill of lading. Packing slips must show Purchase Order number and must be included on each package of less than container load (LCL) shipments and/or with each car load of equipment. The COUNTY reserves the right to refuse or return any shipment or equipment at VENDOR'S expense that is not marked with Purchase Order numbers. VENDOR agrees to declare to the carrier the value of any shipment made under this Purchase Order and the full invoice value of such shipment.
- d) All invoices must contain the Purchase Order number and any other specific information as identified on the Purchase Order. Discounts of prompt payment will be computed from the date of receipt of goods or from date of receipt of invoices, whichever is later. Payment will be made upon receipt of a proper invoice and in compliance with Chapter 218, Fla. Stats., otherwise known as the "Local Government Prompt Payment Act," and, pursuant to the Board of County Commissioners Purchasing Policy.

5. Time Is Of the Essence

Time for delivery of goods or performance of services under this Purchase Order is of the essence. Failure of VENDOR to meet delivery schedules or deliver within a reasonable time, as interpreted by the COUNTY in its sole judgment, shall entitle the COUNTY to seek all remedies available to it at law or in equity. VENDOR agrees to reimburse the COUNTY for any expenses incurred in enforcing its rights.

VENDOR further agrees that undiscovered delivery of nonconforming goods and/or services is not a waiver of the COUNTY'S right to insist upon further compliance with all specifications.

6. Changes

The COUNTY may at any time and by written notice make changes to drawings and specifications, shipping instructions, quantities and delivery schedules within the general scope of this Purchase Order. Should any such change increase or decrease the cost of, or the time required for performance of the Purchase Order, an equitable adjustment in the price and/or delivery schedule will be negotiated by the COUNTY and VENDOR. Notwithstanding the foregoing, VENDOR has an affirmative obligation to give notice if the changes will decrease costs. Any claims for adjustment by VENDOR must be made within thirty (30) days from the date the change is ordered or within such additional period of time as may be agreed upon by the parties.

7. Warranties

VENDOR expressly warrants that the goods and/or services covered by this Purchase Order will conform to the specifications, drawings, samples or other descriptions furnished or specified by the COUNTY, and will be of satisfactory material and quality production, free from defects and sufficient for the purpose intended. Goods shall be delivered free from any security interest or other lien, encumbrance or claim of any third party. These warranties shall survive inspection, acceptance, passage of title and payment by the COUNTY.

8. Statutory Conformity

Goods and services provided pursuant to this Purchase Order, and their production and transportation shall conform to all applicable laws, including but not limited to the Occupational Health and Safety Act, the Federal Transportation Act and the Fair Labor Standards Act, as well as any law or regulation noted on the face of the Purchase Order.

9. Advertising

No VENDOR providing goods and services to the COUNTY shall advertise the fact that it has contracted with the COUNTY for goods and/or services, or appropriate or make use of the COUNTY'S name or other identifying marks or property without the prior written consent of the COUNTY'S Purchasing Department.

10. Indemnification

VENDOR shall indemnify and hold harmless the COUNTY from any and all claims, including claims of negligence, costs and expenses, including but not limited to attorneys' fees, arising from, caused by or related to the injury or death of any person (including but not limited to employees and agents of VENDOR in the performance of their duties or otherwise), or damage to property (including property of the COUNTY or other persons), which arise out of or are incident to the goods and/or services to be provided hereunder.

11. Warranty of Non-Infringement

VENDOR represents and warrants that all goods sold or services performed under this Purchase Order are: a) in compliance with applicable laws; b) do not infringe any patent, trademark, copyright or trade secret; and c) do not constitute unfair competition.

VENDOR shall indemnify and hold harmless the COUNTY from and against any and all claims, including claims of negligence, costs and expense, including but not limited to attorneys' fees, which arise from any claim, suit or proceeding alleging that the COUNTY'S use of the goods and/or services provided under this Purchase Order are inconsistent with VENDOR'S representations and warranties in section 11 (a).

If any claim which arises from VENDOR'S breach of section 11 (a) has occurred, or is likely to occur, VENDOR may, at the COUNTY'S option, procure for the COUNTY the right to continue using the goods or services, or replace or modify the goods or services so that they become non-infringing, (without any material degradation in performance, quality, functionality or additional cost to the COUNTY).

12. Insurance Requirements

The VENDOR, at its sole expense, shall provide commercial insurance of such type and with such terms and limits as may be reasonably associated with the Purchase Order. Providing and maintaining adequate insurance coverage is a material obligation of the VENDOR. All insurance policies shall be executed through insurers authorized or eligible to write policies in the State of Florida.

13. Compliance with Laws

In fulfilling the terms of this Purchase Order, VENDOR agrees that it will comply with all federal, state, and local laws, rules, codes, and ordinances that are applicable to the conduct of its business. By way of non-exhaustive example, this shall include the American with Disabilities Act and all prohibitions against discrimination on

the basis of race, religion, sex creed, national origin, handicap, marital status, or veterans' status. Further, VENDOR acknowledges and without exception or stipulation shall be fully responsible for complying with the provisions of the Immigration Reform and Control Act of 1986 as located at 8 U.S.C. 1324, et seq. and regulations relating thereto, as either may be amended. Failure by the awarded firm(s) to comply with the laws referenced herein shall constitute a breach of the award agreement and the County shall have the discretion to unilaterally terminate said agreement immediately. Any breach of this provision may be regarded by the COUNTY as a material and substantial breach of the contract arising from this Purchase Order.

14. Force Majeure

Neither the COUNTY nor VENDOR shall be responsible for any delay or failure in performance resulting from any cause beyond their control, including, but without limitation to war, strikes, civil disturbances and acts of nature. When VENDOR has knowledge of any actual or potential force majeure or other conditions which will delay or threatens to delay timely performance of this Purchase Order, VENDOR shall immediately give notice thereof, including all relevant information with respects to what steps VENDOR is taking to complete delivery of the goods and/or services to the COUNTY.

15. Assignment

VENDOR may not assign this Purchase Order, nor any money due or to become due without the prior written consent of the COUNTY. Any assignment made without such consent shall be deemed void.

16. Taxes

Goods and services procured subject to this Purchase Order are exempt from Florida sales and use tax on real property, transient rental property rented, tangible personal purchased or rented, or services purchased (Florida Statutes, Chapter 212), and from federal excise tax.

17. Annual Appropriations

The COUNTY'S performance and obligation to pay under this Purchase Order shall be contingent upon an annual appropriation of funds.

18. Termination

This Purchase Order may be terminated at any time by the COUNTY upon 30 days prior written notice to the VENDOR. This Purchase Order may be terminated immediately by the COUNTY for breach by VENDOR of the terms and conditions of this Purchase Order, provided that COUNTY has provided VENDOR with notice of such breach and VENDOR has failed to cure within 10 days of receipt of such notice.

19. General

- a) This Purchase Order shall be governed by the laws of the State of Florida. The venue for any action brought to specifically enforce any of the terms and conditions of this Purchase Order shall be the Twentieth Judicial Circuit in and for Collier County, Florida
- b) Failure of the COUNTY to act immediately in response to a breach of this Purchase Order by VENDOR shall not constitute a waiver of breach. Waiver of the COUNTY by any default by VENDOR hereunder shall not be deemed a waiver of any subsequent default by VENDOR.
- c) All notices under this Purchase Order shall be sent to the respective addresses on the face page by certified mail, return receipt requested, by overnight courier service, or by personal delivery and will be deemed effective upon receipt. Postage, delivery and other charges shall be paid by the sender. A party may change its address for notice by written notice complying with the requirements of this section.
- d) The Vendor agrees to reimbursement of any travel expenses that may be associated with this Purchase Order in accordance with Florida Statute Chapter 112.061, Per Diem and Travel Expenses for Public Officers, employees and authorized persons.
- e) In the event of any conflict between or among the terms of any Contract Documents related to this Purchase Order, the terms of the Contract Documents shall take precedence over the terms of the Purchase Order. To the extent any terms and /or conditions of this Purchase Order duplicate or overlap the Terms and Conditions of the Contract Documents, the provisions of the Terms and/or Conditions that are most favorable to the County and/or provide the greatest protection to the County shall govern.

Exhibit IV: Additional ITB Terms and Conditions

1. Contract Term

The contract term, if an award(s) is/are made is intended to be one (1) year with three (3) one (1) year renewal options. Prices shall remain firm for the initial term of this contract. Requests for consideration of a price adjustment must be made on the contract anniversary date, in writing, to the Purchasing Director. Price adjustments are dependent upon budget availability and program manager approval.

Surcharges will not be accepted in conjunction with this contract, and such charges should be incorporated into the pricing structure.

2. Additional Items and/or Services

During the contract term, Collier County reserves the right to add related items and/or services upon negotiation of a satisfactory price by the Project Manager and Vendor.

3. Conflict of Interest

Vendor shall provide a list of any businesses and/or organizations to which the firm has any affiliation or obligations within the past five (5) years; whether paid or donated, which could be construed by the County as a conflict of interest. Disclosure of any potential or actual conflict of interest is subject to County staff review and does not in and of itself disqualify a firm from consideration. These disclosures are intended to identify and or preclude conflict of interest situations during contract selection and execution.

4. Vendor Performance Evaluation

Collier County has implemented a Vendor Performance Evaluation System for all contracts awarded in excess of \$25,000. To this end, vendors will be evaluated on their performance upon completion/termination of agreement.

5. Use of Subcontractors

Bidders on any service related project, including construction, must be qualified and directly responsible for 51% or more of the solicitation amount for said work.

6. Deductions for Non-Performance

The County reserves the right to deduct a portion of any invoice for goods not delivered, or services not performed in accordance with requirements, including required timeframe. The County may also deduct, or chargeback the Vendor the costs necessary to correct the deficiencies directly related to the Vendor's non-performance.

7. Offer Extended to Other Governmental Entities

Collier County encourages and agrees to the successful vendor extending the pricing, terms and conditions of this solicitation or resultant contract to other governmental entities at the discretion of the successful vendor.

8. Environmental Health and Safety

All Vendors and Sub vendors performing service for Collier County are required and shall comply with all Occupational Safety and Health Administration (OSHA), State and County Safety and Occupational Health Standards and any other applicable rules and regulations. Vendors and Sub vendors shall be responsible for the safety of their employees and any unsafe acts or conditions that may cause injury or damage to any persons or property within and around the work site. All firewall penetrations must be protected in order to meet Fire Codes.

Collier County Government has authorized OSHA representatives to enter any Collier County facility, property and/or right-of-way for the purpose of inspection of any Vendor's work operations. This provision is non-negotiable by any department and/or Vendor.

All new electrical installations shall incorporate NFPA 70E Short Circuit Protective Device Coordination and Arc Flash Studies where relevant as determined by the engineer. All electrical installations shall be labeled with appropriate NFPA 70E arc flash boundary and PPE Protective labels.

9. Standards of Conduct

The Vendor shall employ people to work on County projects who are neat, clean, well-groomed and courteous. Subject to the American with Disabilities Act, Vendor shall supply competent employees who are physically capable of performing their employment duties. The County may require the Vendor to remove an employee it deems careless, incompetent, insubordinate or otherwise objectionable and whose continued employment on Collier County projects is not in the best interest of the County.

10. Licenses

The Vendor is required to possess the correct professional and other licenses, and any other authorizations necessary to perform the required work pursuant to all applicable Federal, State and Local Law, Statute, Ordinances, and rules and regulations of any kind. **Additionally, copies of all the required licenses must be submitted with the bid response indicating that the entity bidding, as well as the team assigned to the County account, is properly licensed to perform the activities or work included in the ITB documents. Failure on the part of any vendor to supply this documentation with their bid response may be grounds for deeming vendor non-responsive.** A Vendor with an office within Collier County is required to have an occupational license.

All State Certified contractors must complete a registration form and submit a \$45.00 fee. After registering, the license/registration will need to be renewed thereafter to remain "Active" and able to pull permits or call in inspections within Collier County. State License renewals are based according to the expiration date indicated on the State License.

Questions regarding professional licenses should be directed to Contractor Licensing, Community Development and Environmental Services at (239) 252-2431, 252-2432 or 252-2909. Questions regarding required Business Tax Receipt (formerly known as Occupational Licenses) should be directed to the Tax Collector's Office at (239) 252-2477.

11. Protection of Property

The Vendor shall ensure that the service is performed in such manner as to not damage any property. In the event damage occurs to any property as a direct result of the Vendor or their Sub vendor in the performance of the required service, the Vendor shall repair/replace, to the County's satisfaction, damaged property at no additional cost to the County. If the damage caused by the Vendor or their Sub vendor has to be repaired/replaced by the County, the cost of such work will be deducted from the monies due the Vendor.

12. Prohibition of Gifts to County Employees

No organization or individual shall offer or give, either directly or indirectly, any favor, gift, loan, fee, service or other item of value to any County employee, as set forth in Chapter 112, Part III, Florida Statutes, the current Collier County Ethics Ordinance and County Administrative Procedure 5311. Violation of this provision may result in one or more of the following consequences: a. Prohibition by the individual, firm, and/or any employee of the firm from contact with County staff for a specified period of time; b. Prohibition by the individual and/or firm from doing business with the County for a specified period of time, including but not limited to: submitting bids, RFP, and/or quotes; and, c. immediate termination of any contract held by the individual and/or firm for cause.

13. Invoice and Payments

Payments are made in accordance with the Local Government Prompt Payment Act, Chapter 218, Florida Statutes. Vendor's invoices must include:

- Purchase Order Number
- Description and quantities of the goods or services provided per instructions on the County's purchase order or contract.

Invoices shall be sent to:

Board of County Commissioners
Attn: Accounts Payable
Building F, 7th Floor
3301 Tamiami Trail E
Naples FL 34112

Collier County, in its sole discretion, will determine the method of payment for goods and/or services as part of this agreement. Payment methods include:

- Traditional – payment by check, wire transfer or other cash equivalent.
- Standard – payment by purchasing card. Collier County's Purchasing Card Program is supported by standard bank credit suppliers (i.e. VISA and MasterCard), and as such, is cognizant of the Rules for VISA Merchants and MasterCard Merchant Rules.

Collier County cautions vendors to consider both methods of payment when determining pricing as no additional surcharges or fees will be considered (per Rules for VISA Merchants and MasterCard Merchant Rules). The County will entertain bids clearly stating pricing for standard payment methods. An additional separate discounted price for traditional payments may be provided at the initial bid submittal if it is clearly marked as an "Additional Cash Discount."

Upon execution of the Contract and completion of each month's work, payment requests shall be submitted to the Project Manager on a monthly basis by the Contractor for services rendered for that prior month. Services beyond sixty (60) days from current monthly invoice will not be considered for payment without prior approval from the Project manager. All invoices must be submitted within the fiscal year the work was performed. (County's fiscal year is October 1 - September 30.) Invoices submitted after the close of the fiscal year will not be accepted (or processed for payment) unless specifically authorized by the Project Manager.

Payments will be made for articles and/or services furnished, delivered, and accepted, upon receipt and approval of invoices submitted on the date of services or within six (6) months after completion of contract. Any untimely submission of invoices beyond the specified deadline period is subject to non-payment under the legal doctrine of "laches" as untimely submitted. Time shall be deemed of the essence with respect to the timely submission of invoices under this agreement.

Invoices shall not reflect sales tax. After review and approval, the invoice will be transmitted to the Finance Division for payment. Payment will be made upon receipt of proper invoice and in compliance with Chapter 218 Florida Statutes, otherwise known as the "Local Government Prompt Payment Act." Collier County reserves the right to withhold and/or reduce an appropriate amount of any payment for work not performed or for unsatisfactory performance of Contractual requirements.

14. Insurance Requirements

The Vendor shall at its own expense, carry and maintain insurance coverage from responsible companies duly authorized to do business in the State of Florida as set forth in Attachment 3 of this solicitation. The Vendor shall procure and maintain property insurance upon the entire project, if required, to the full insurable value of the scope of work.

The County and the Vendor waive against each other and the County's separate Vendors, Contractors, Design Consultant, Subcontractors agents and employees of each and all of them, all damages covered by property insurance provided herein, except such rights as they may have to the proceeds of such insurance. The Vendor and County shall, where appropriate, require similar waivers of subrogation from the County's separate Vendors, Design Consultants and Subcontractors and shall require each of them to include similar waivers in their contracts.

Collier County shall be responsible for purchasing and maintaining, its own liability insurance.

Certificates issued as a result of the award of this solicitation must identify "For any and all work performed on behalf of Collier County."

The General Liability Policy provided by Vendor to meet the requirements of this solicitation shall name Collier County, Florida, as an additional insured as to the operations of Vendor under this solicitation and shall contain a severability of interests provisions.

Collier County Board of County Commissioners shall be named as the Certificate Holder. The "Certificate Holder" should read as follows:

Collier County Board of County Commissioners
Naples, Florida

The amounts and types of insurance coverage shall conform to the minimum requirements set forth in Attachment 3, with the use of Insurance Services Office (ISO) forms and endorsements or their equivalents. If Vendor has any self-insured retentions or deductibles under any of the below listed minimum required coverage, Vendor must identify on the Certificate of Insurance the nature and amount of such self- insured retentions or deductibles and provide satisfactory evidence of financial responsibility for such obligations. All self-insured retentions or deductibles will be Vendor's sole responsibility.

Coverage(s) shall be maintained without interruption from the date of commencement of the Work until the date of completion and acceptance of the scope of work by the County or as specified in this solicitation, whichever is longer.

The Vendor and/or its insurance carrier shall provide 30 days written notice to the County of policy cancellation or non-renewal on the part of the insurance carrier or the Vendor. The Vendor shall also notify the County, in a like manner, within twenty-four (24) hours after receipt, of any notices of expiration, cancellation, non-renewal or material change in coverage or limits received by Vendor from its insurer and nothing contained herein shall relieve Vendor of this requirement to provide notice. In the event of a reduction in the aggregate limit of any policy to be provided by

Vendor hereunder, Vendor shall immediately take steps to have the aggregate limit reinstated to the full extent permitted under such policy.

Should at any time the Vendor not maintain the insurance coverage(s) required herein, the County may terminate the Agreement or at its sole discretion shall be authorized to purchase such coverage(s) and charge the Vendor for such coverage(s) purchased. If Vendor fails to reimburse the County for such costs within thirty (30) days after demand, the County has the right to offset these costs from any amount due Vendor under this Agreement or any other agreement between the County and Vendor. The County shall be under no obligation to purchase such insurance, nor shall it be responsible for the coverage(s) purchased or the insurance company or companies used. The decision of the County to purchase such insurance coverage(s) shall in no way be construed to be a waiver of any of its rights under the Contract Documents.

If the initial or any subsequently issued Certificate of Insurance expires prior to the completion of the scope of work, the Vendor shall furnish to the County renewal or replacement Certificate(s) of Insurance not later than ten (10) calendar days after the expiration date on the certificate. Failure of the Vendor to provide the County with such renewal certificate(s) shall be considered justification for the County to terminate any and all contracts.

15. Maintenance of Traffic Policy

For all projects that are conducted within a Collier County Right-of-Way, the Vendor shall provide and erect Traffic Control Devices as prescribed in the current edition of the Manual On Uniform Traffic Control Devices (MUTCD), where applicable on local roadways and as prescribed in the Florida Department of Transportation's Design Standards (DS) on state roadways. These projects shall also comply with Collier County's Maintenance of Traffic Policy, #5807, incorporated herein by reference. Copies are available through the Risk Management and/or Purchasing Departments and are available on-line at colliergov.net/purchasing.

The Vendor will be responsible for obtaining copies of all required manuals, MUTCD, FDOT Roadway & Traffic Design Standards Indexes, or other related documents, so to become familiar with their requirements. Strict adherence to the requirements of the Maintenance of Traffic ("MOT") policy will be enforced under this Contract.

All costs associated with the Maintenance of Traffic shall be included on the line item on the bid page. If MOT is required, MOT is to be provided within ten (10) days of receipt of Notice of Award.

16. Debris

Vendor shall be responsible for the removal and disposal of all debris from the site and the cleaning of the affected areas. Vendor shall keep the premises free of debris and unusable materials resulting from their work and as work progresses; or upon the request of the County's representative, shall remove and dispose such debris and materials from the property. The Vendor shall leave all affected areas as they were prior to beginning work.

17. Direct Material Purchase

The County reserves the right to require Vendor to assign some or all of its agreements with material suppliers directly to the County. Any such goods and/or materials purchased by the County pursuant to such an assignment of a material supply agreement shall be referred to as "County Furnished Materials" and the responsibilities of both the County and the Vendor relating to said materials shall be governed by the terms and conditions of this solicitation.

Additionally, the County at its sole option may choose to purchase some or all of the goods and/or materials from other suppliers. In either instance the County may require the following information from the Vendor:

- Required quantities of material.
- Specifications relating to goods and/or materials required for job including brand and/or model number or type if applicable
- Pricing and availability of goods and/or materials provided under Vendor's agreements with material suppliers

18. Grant Compliance

The purchase of any goods and/or services that are funded through Federal Grant Appropriations, the State of Florida, or any other public or private foundations shall be subject to the compliance and reporting requirements of the granting agency.

19. Equipment

Vendor shall have available and in good working condition, the necessary equipment to perform the required service. Vendor shall supply a list of equipment and an hourly rate for each. Hourly rates will commence once equipment arrives at the service site.

In the event that additional specialized and/or heavy equipment (backhoe, crane, mudhog, etc.) is needed, the Project Manager must be notified in advance for approval. The reimbursement of additional equipment expense shall be at cost and will commence once equipment arrives at the service site. The County reserves the right to request and obtain documentation of the Vendor's cost, and to withhold payments until documentation is provided.

The scope of these specifications is to ensure the delivery of a complete unit ready for operation. Omission of any essential detail from these specifications does not relieve the Vendor from furnishing a complete unit.

All equipment must be new and of current manufacture in production at the time of ITB opening, and carry standard warranties. At the time of delivery, at least two (2) complete shop repair manuals and parts lists must be furnished with each type of equipment. Vendor must service all equipment prior to delivery and/or acceptance by the County.

20. Storage Tank Installation and Closure Requirements

An underground 62-761, Florida Administrative Code (F.A.C.) or aboveground 62-762, F.A.C. regulated tank requires notification to the '**County**' prior to installation or closure of the tank. The Pollution Control Department (239-252-2502) via contract GC-690 with the Florida Department of Environmental Protection (FDEP) is the County (local program) for the purposes of these rules.

Regulated tanks require notification to the '**County**' local program **30 days** prior to installation and again **48 hours** prior to commencement of the installation. Closure activities require a **10 day** notification and then a **48 hour** notification prior to commencement. The notification is to allow for scheduling of the inspections pertaining to the installation / closure activities. A series of inspections will be scheduled based upon system design after discussing the project with the Vendor / Project Manager. Specifics on applicability, exemptions and requirements for regulated pollutant storage tank systems can be found in 62-761, F.A.C. and 62-762, F.A.C. or contact the Pollution Control Department with your questions. Please note that equipment must be listed on the FDEP approved equipment list and will be verified at inspection along with installation and testing procedures. The approved equipment list is constantly updated and can be found at the FDEP Storage Tank Regulation website along with rules, forms and other applicable information.

21. 62-761.300 Applicability

- 1) General Requirements:
 - a) Underground storage tank systems: The requirements of this Chapter, unless specified otherwise, apply to owners and operators of facilities, or owners and operators of UST systems with individual storage tank capacities greater than 110 gallons that contain or contained:
 - i) Vehicular fuel, subject to Chapter 17-61, F.A.C., after May 21, 1984
 - ii) Pollutants or hazardous substances after December 10, 1990; or
 - iii) Regulated substances in unmaintained storage tank systems.
 - b) This rule is applicable to non-residential facilities. Under 40 C.F.R. 280, residential tanks greater than 1100 gallons containing motor fuels are subject to Federal UST rules (advisory information only-not required by this Chapter).

22. 62-762.301, F.A.C. Applicability

- 1) General Requirements:
 - a) Aboveground storage tank systems: The requirements of this chapter, unless specified otherwise, apply to owners and operators of facilities, or owners and operators of aboveground stationary storage tank systems with individual storage tank capacities greater than 550 gallons that contain or contained: Vehicular fuel, subject to Chapter 17-61, F.A.C., after May 21, 1984
 - (1) Vehicular fuel, subject to Chapter 17-61, F.A.C., after May 21, 1984;
 - (2) Pollutants after March 12, 1991; or
 - (3) Pollutants in unmaintained storage tank systems.
 - b) Aboveground compression vessels and hazardous substance storage tank systems: Owners and operators of compression vessels and hazardous substance storage tanks with capacities of greater than 110 gallons containing hazardous substances are only required to comply with subsections 62-762.401(1)-(2), F.A.C.
 - c) Aboveground mineral acid storage tank systems: Owners and operators of facilities, or owners and operators of aboveground mineral acid storage tank systems with capacities of greater than 110 gallons containing mineral acids are only required to comply with Rule 62-762.891, F.A.C.

23. Definitions

62-761.200(11) and 62-762.201(16), F.A.C.: "**County**" means a locally administered program under contract with the Department to perform compliance verification activities at facilities with storage tank systems.

62-761.200(48) and 62-762.201(62), F.A.C.: "**Pollutants**" includes any "product" as defined in Section 377.19(11), F.S., pesticides, ammonia, chlorine and derivatives thereof, excluding liquefied petroleum gas.

62-761.200(51) and 62-762.201(65), F.A.C.: "**Product**" as defined in Section 377.19(11), F.S., means any commodity made from oil or gas and includes refined crude oil, crude tops, topped crude, processed crude petroleum, residue from crude petroleum, cracking stock, uncracked fuel oil, fuel oil, treated crude oil, residuum, gas oil, casing head gasoline, natural gas gasoline, naphtha, distillate, condensate, gasoline, used oil, kerosene, benzene, wash oil, blended gasoline, lubricating oil, blends or mixtures of oil with one or more liquid products or byproducts derived from oil or gas, and blends or mixtures of two or more liquid products or byproducts derived from oil or gas, whether hereinabove enumerated or not.

62-761(73) and 62-762(84), F.A.C.: "**Vehicular fuel**" means a petroleum product used to fuel motor vehicles, including aircraft, watercraft and vehicles used on and off roads and rails.

Attachment 1: Vendor Submittal - Vendor's Check List

IMPORTANT: THIS SHEET MUST BE SIGNED BY VENDOR. Please read carefully, sign in the spaces indicated and return with bid.

Vendor should check off each of the following items as the necessary action is completed:

1. The Bid has been signed. ✓
2. The Bid prices offered have been reviewed. ✓
3. The price extensions and totals have been checked. ✓
4. The payment terms have been indicated. ✓
5. Any required drawings, descriptive literature, etc. have been included. NA
6. Any delivery information required is included. ✓
7. If required, the amount of bid bond has been checked, and the bid bond or cashiers check has been included. NA
8. Addendum have been signed and included, if applicable. ✓
9. Affidavit for Claiming Status as a Local Business, if applicable. ✓
10. Immigration Affidavit. ✓
11. Copies of licenses, equipment lists, subcontractors or any other information as noted in this ITB. ✓ ✓ ✓ ✓
12. The mailing envelope must be addressed to:
Purchasing Director
Collier County Government Center
Purchasing Building
3301 East Tamiami Trail
Naples, Florida 34112
13. The mailing envelope must be sealed and marked with:
 - **ITB 10-5507 – Storm Drain Cleaning, Documenting & Repairs**
 - **Opening Date**
14. The bid will be mailed or delivered in time to be received no later than the specified opening date and time. (Otherwise bid cannot be considered.)

ALL COURIER DELIVERED BIDS MUST HAVE THE BID NUMBER AND TITLE ON THE OUTSIDE OF THE COURIER PACKET.

Company Name

Signature & Title

Date

Attachment 2: Vendor Submittal - Bid Response Form

FROM: _____

Board of County Commissioners
Collier County Government Center
Naples, Florida 34112

RE: ITB 10-5507 – Storm Drain Cleaning, Documenting & Repairs

Dear Commissioners:

The undersigned, as Vendor, hereby declares that the specifications have been fully examined and the Vendor is fully informed in regard to all conditions pertaining to the work to be performed for as per the scope of work. The Vendor further declares that the only persons, company or parties interested in this Bid or the Contract to be entered into as principals are named herein; that this Bid is made without connection with any other person, company or companies submitting a Bid; and it is all respects fair and in good faith, without collusion or fraud.

The Vendor proposes and agrees if this Bid is accepted, to contract, either by a County issued purchase order or formal contract, to comply with the requirements in full in accordance with the terms, conditions and specifications denoted herein, according to the following unit prices:

***** SEE FOLLOWING PAGES *****

Any discounts or terms must be shown on the Bid Response Form. Such discounts, if any, will be considered and computed in the tabulation of the bids. In no instance should terms for less than fifteen (15) days payment be offered.

Prompt Payment Terms: _____% _____ Days; Net ___ Days

Bid Response Form is electronic. Please input your prices online.

Note: If you choose to bid manually, please submit an ORIGINAL and ONE COPY of your bid response pages. The undersigned do agree that should this Bid be accepted, to execute a formal contract, if required, and present the formal contract to the County Purchasing Director for approval within fifteen (15) days after being notified of an award.

IN WITNESS WHEREOF, WE have hereunto subscribed our names on this _____ day of _____, 2010 in the County of _____, in the State of _____.

Firm's Complete Legal Name _____

Address _____

City, State, Zip _____

Florida Certificate of Authority Document Number _____

Federal Tax Identification Number _____

Telephone Number _____

FAX Number _____

- Check one of the following:
- Sole Proprietorship
 - Corp or P.A. State of _____
 - Limited Partnership
 - General Partnership

Signature / Title _____

Type Name of Signature _____

Date _____

Additional Contact Information

Send Payments To: (REQUIRED ONLY if different from above)

Firm's Complete Legal Name _____

Address _____

City, State, Zip _____

Contact Name _____

Telephone Number _____

FAX Number _____

Email Address _____

Attachment 3: Vendor Submittal - Insurance and Bonding Requirements

| Insurance / Bond Type | Required Limits |
|--|---|
| 1. <input checked="" type="checkbox"/> Worker's Compensation | Statutory Limits of Florida Statutes, Chapter 440 and all Federal Government Statutory Limits and Requirements |
| 2. <input checked="" type="checkbox"/> Employer's Liability | \$ <u>1,000,000</u> single limit per occurrence |
| 3. <input checked="" type="checkbox"/> Commercial General Liability (Occurrence Form) patterned after the current ISO form | Bodily Injury and Property Damage \$ <u>1,000,000</u> single limit per occurrence |
| 4. <input checked="" type="checkbox"/> Indemnification | To the maximum extent permitted by Florida law, the Contractor/Vendor/Consultant shall indemnify and hold harmless Collier County, its officers and employees from any and all liabilities, damages, losses and costs, including, but not limited to, reasonable attorneys' fees and paralegals' fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the Contractor/Vendor/Consultant or anyone employed or utilized by the Contractor/Vendor/Consultant in the performance of this Agreement. This indemnification obligation shall not be construed to negate, abridge or reduce any other rights or remedies which otherwise may be available to an indemnified party or person described in this paragraph. This section does not pertain to any incident arising from the sole negligence of Collier County. |
| 4. <input checked="" type="checkbox"/> Automobile Liability | \$ <u>1,000,000</u> Each Occurrence; Bodily Injury & Property Damage, Owned/Non-owned/Hired; Automobile Included |
| 5. <input type="checkbox"/> Other insurance as noted: | <input type="checkbox"/> Watercraft \$ _____ Per Occurrence <input type="checkbox"/> United States Longshoreman's and Harborworker's Act coverage shall be maintained where applicable to the completion of the work. \$ _____ Per Occurrence <input type="checkbox"/> Maritime Coverage (Jones Act) shall be maintained where applicable to the completion of the work. \$ _____ Per Occurrence <input type="checkbox"/> Aircraft Liability coverage shall be carried in limits of not less than \$5,000,000 each occurrence if applicable to the completion of the Services under this Agreement. \$ _____ Per Occurrence <input type="checkbox"/> Pollution \$ _____ Per Occurrence <input type="checkbox"/> Professional Liability \$ _____ Per Occurrence <ul style="list-style-type: none"> • \$ 500,000 each claim and in the aggregate • \$1,000,000 each claim and in the aggregate • \$2,000,000 each claim and in the aggregate <input type="checkbox"/> Project Professional Liability \$ _____ Per Occurrence <input type="checkbox"/> Valuable Papers Insurance \$ _____ Per Occurrence |

6. Vendor shall ensure that all subcontractors comply with the same insurance requirements that he is required to meet. The same Vendor shall provide County with certificates of insurance meeting the required insurance provisions.
7. Collier County must be named as "**ADDITIONAL INSURED**" on the Insurance Certificate for Commercial General Liability where required.
8. The Certificate Holder shall be named as Collier County Board of County Commissioners, OR, Board of County Commissioners in Collier County, OR Collier County Government, OR Collier County.
9. **Thirty (30) Days Cancellation Notice** required.

Vendor's Insurance Statement

We understand the insurance requirements of these specifications and that the evidence of insurability may be required within five (5) days of the award of this solicitation.

Name of Firm _____ Date _____

Vendor Signature _____

Print Name _____

Insurance Agency _____

Agent Name _____ Telephone Number _____



Attachment 4
Vendor Submittal – Local Vendor Preference Affidavit

ITB 10-5507 – Storm Drain Cleaning, Documenting & Repairs

(Check Appropriate Boxes Below)

State of Florida (Select County if Vendor is described as a Local Business

- Collier County
Lee County

Vendor affirms that it is a local business as defined by the Purchasing Policy of the Collier County Board of County Commissioners and the Regulations Thereto. As defined in Section XI of the Collier County Purchasing Policy;

A "local business" is defined as a business that has a valid occupational license issued by either Collier or Lee County for a minimum of one (1) year prior to a Collier County bid or proposal submission that authorizes the business to provide the commodities or services to be purchased, and a physical business address located within the limits of Collier or Lee Counties from which the vendor operates or performs business.

Vendor must complete the following information:

Year Business Established in Collier County or Lee County: _____

Number of Employees (Including Owner(s) or Corporate Officers): _____

Number of Employees Living in Collier County or Lee (Including Owner(s) or Corporate Officers): _____

If requested by the County, vendor will be required to provide documentation substantiating the information given in this affidavit. Failure to do so will result in vendor's submission being deemed not applicable.

Vendor Name: _____ Date: _____

Address in Collier or Lee County: _____

Signature: _____ Title: _____

STATE OF FLORIDA

COLLIER COUNTY LEE COUNTY

Sworn to and Subscribed Before Me, a Notary Public, for the above State and County, on this _____ Day of _____, 20_____.

Notary Public

My Commission Expires: _____

(AFFIX OFFICIAL SEAL)



ITB 10-5507 – Storm Drain Cleaning, Documenting & Repairs

This Affidavit is required and should be signed, notarized by an authorized principal of the firm and submitted with formal Invitations to Bid (ITB's) and Request for Proposals (RFP) submittals. Failure to include this Affidavit with proposal will delay in the consideration and reviewing of vendor's proposals and could result in the vendor's proposal being deemed non-responsive.

Collier County will not intentionally award County contracts to any vendor who knowingly employs unauthorized alien workers, constituting a violation of the employment provision contained in 8 U.S.C. Section 1324 a(e) Section 274A(e) of the Immigration and Nationality Act ("INA").

Collier County may consider the employment by any vendor of unauthorized aliens a violation of Section 274A (e) of the INA. Such Violation by the recipient of the Employment Provisions contained in Section 274A (e) of the INA shall be grounds for unilateral termination of the contract by Collier County.

Vendor attests that they are fully compliant with all applicable immigration laws (specifically to the 1986 Immigration Act and subsequent Amendment(s)) and agrees to abide by Collier County Employment Eligibility Verification System requirements regarding this solicitation.

Company Name _____

Print Name _____ Title _____
Signature _____ Date _____

State of _____

County of _____

The foregoing instrument was signed and acknowledged before me this _____ day of _____, 2010, by

_____ who has produced
(Print or Type Name)
_____ as identification.
(Type of Identification and Number)

Notary Public Signature _____

Printed Name of Notary Public _____

Notary Commission Number/Expiration _____

The signee of this Affidavit guarantees, as evidenced by the sworn affidavit required herein, the truth and accuracy of this affidavit to interrogatories hereinafter made. Collier County reserves the right, at any time, to request supporting documentation as evidence of the vendor's compliance with this sworn affidavit.

Attachment 6: Vendor Submittal - Vendor's Non-Response Statement

The sole intent of the Collier County Purchasing Department is to issue solicitations that are clear, concise and openly competitive. Therefore, we are interested in ascertaining reasons why prospective Vendors did not wish to respond to this ITB.

If your firm is not responding to this ITB, please indicate the reason(s) by checking any appropriate item(s) listed below and return this form via email or fax to the Purchasing Agent listed on the first page or mail to: Collier County Purchasing Department, 3301 Tamiami Trail East, Naples, Florida 34112.

We are not responding to this ITB for the following reason(s):

ITB 10-5507 – Storm Drain Cleaning, Documenting & Repairs

- Services requested not available through our company.
- Our firm could not meet specifications/scope of work.
- Specifications/scope of work not clearly understood (too vague, rigid, etc.)
- Project is too small.
- Insufficient time allowed for preparation of response.
- Incorrect address used. Please correct mailing address:

- Other reason(s):

Firm's Complete Legal Name _____

Address _____

City, State, Zip _____

Telephone Number _____

FAX Number _____

Signature / Title _____

Type Name of Signature _____ Date: _____

EXHIBIT A – SCOPE OF SERVICES

The work typically consists of:

- The cleaning/flushing of the storm drain pipe, which may include temporary plugging and dewatering of individual storm drain segments;
- Vacuuming of the storm drain pipe and appurtenances (inlet boxes);
- Vacuuming of Continuous Deflection Separation (CDS) Systems;
- Videotaping in DVD format of the segment cleaned when authorized;
- Providing a written report of the condition of the facilities to the County;
- Furnishing all of the associated equipment, labor, and materials required to meet the work objectives.
- Providing quote for repairs within five (5) working days.

The length of pipe and box culverts, the number of inlet boxes and CDS Systems along with the job duration all will vary. It should be anticipated that the majority of work to clean/flush the pipe will be on short job increments of approximately 30', 50' to 100' in length with the job duration to be two (2), four (4), eight (8) to sixteen (16) hours pending permits and MOT setup. Video recording would be performed on the older culverts which are believed to be in poor condition or have failed.

The Contractor shall be fully responsible for the performance and for the completion of all work under this Contract as set forth in these special provisions and as directed by Collier County or its designee (Project Manager). The Contractor will incorporate the necessary provisions into the overall Bid Unit Price to complete the specified work under the conditions existing in the storm drain pipe and box culverts.

Coordination with Collier County and other parties involved is required regarding provisions for the location specifics of each work site, traffic control signage, purchasing/acquiring water and identification of the nearest sediment disposal site.

AUTHORITY OF THE PROJECT MANAGER: The Contractor will perform all work to the satisfaction to the Project Manager. The Project Manager will manage all questions, difficulties, and disputes, of whatever nature, that may arise relative to the interpretation of the plans, prosecution, and fulfillment of this Contract. Also, to the character, quality, amount, and value of any work done, and materials furnished..

ACCESS OR STAGING TO PROJECT WORK AREA: Access to the work site may be limited or restricted. It will be the Contractor's responsibility to inspect the work site prior to the NTP issuance to ensure there will be no ingress and egress issues. In addition, should access to an offsite staging area be necessary other than indicated on the plans or as discussed, the Contractor must be granted and the fee owner must provide written authorization. A copy of the authorization letter must be provided to the Project Manager for the Project file. Any and all related costs to gain access to or for staging purposes for the work site shall be included in the Bid.

CLEANING OF STORM DRAIN PIPES, INLET BOXES, AND BOX CULVERTS: The work specified consists of the removal and disposal of sediment, silt, debris, vegetation, soil, rock or any type of blockage including temporary dewatering plugs left behind or restriction inside a storm drain pipe, inlet box, Continuous Deflection Separation (CDS) Systems or equivalent or box culvert to restore maximum drainage capacity.

The storm drain pipe segments may be required to be de-watered with the stormwater discharge being towards a downstream segment of the storm drain system. Jet rodding and vacuum cleaning of the storm drain pipes in preparation for videotaping of the cleaned storm facilities will be required.

Storm drain pipe sizes and segments will vary. Collier County reserves the right to specify actual footages and/or cubic feet of boxes or CDS system(s) as may be required during this contract period, but does not guarantee any minimum or maximum to be ordered during the period specified.

GENERAL REQUIREMENTS: The Contractor shall clean the storm drain pipe, inlet box, box culvert or CDS system so that the drainage capacity is one hundred percent (100%) of the existing capacity of the pipe, box culvert or CDS system. All activities shall be performed meeting the requirements of Federal, State and local environmental standards and laws. Erosion and water pollution control shall be accomplished, meeting the requirements of Section 104 of the Standard Specifications for Road and Bridge Construction and revisions thereto (current at the time of Contract award). When water is present, the storm drain pipe or box culvert shall be de-watered to facilitate cleaning. Cleaning shall be done in a manner not to damage the storm drain pipe, inlet boxes, box culvert, CDS system or surrounding area.

Access to the storm drain pipe, inlet box or box culvert may require temporary removal of fence, signs, guardrail, grates or manhole covers. They shall be replaced according to Collier County standards at the completion of the cleaning operation or each day, as appropriate for safety. No undermined areas shall be allowed at in fall or outfall ends of the pipe or box culvert. Any disturbed areas shall be re-sodded after regrading. Needed repairs to the storm drain pipes or box culverts identified during the cleaning operation shall be brought to the attention of the Project Manager. All sediment, silt, and debris removed in the cleaning operations shall be disposed of by the Contractor in areas meeting Federal, State and local rules and regulations. Contaminated soils (sewage, solvents, etc.) or suspected contaminated soils shall be reported to the County Project Manager immediately for investigation. Quotes for repair work may be requested and shall be submitted within five (5) working days.

DE-WATERING: When de-watering is required, the costs will be based on an hourly fee as shown in the Unit Price. Time log of time start and time completed of the de-watering shall be kept and submitted as back-up with the invoicing.

DOCUMENTS AND REPORTS: All video tapes/discs shall be of the two (2) hour DVD/Windows/Word format with each being professionally labeled showing the Collier County's name, the lines recorded on the tape/disc, the date of viewing, and the name of the Contractor.

Detailed one (1) page summaries with a sketch or map drawn to scale shall also be prepared for each storm drain pipe line segment observed during the data review, presenting the Project Manager with a synopsis of the general line segment condition and the relative severity of observed defects. The reports shall also document any cross-connects with sanitary sewer lines and any contaminated soils or hazardous substances encountered. These summaries shall also be included in all field report copies immediately before each associated report to further assist Collier County in understanding and using the results of the viewed project. Direct submittal of copies of the superintendent's logs without his secondary review and summary pages shall not be acceptable. Photographs taken from the video monitor for remote TV observations shall also be presented in the same manner as described in above.

Collier County desires photos of all significant defects observed during remote observation task; however, it is understood that it may not be possible to obtain clear, still photos from the monitor for inspections in large-diameter lines where manual observations are not performed.

Original video tapes/discs for the project shall be forwarded to Collier County with final report submittals and shall become the property of Collier County. Additional copies of the video tapes/discs, if required, shall be made by the Contractor on professional duplication equipment.

Two (2) complete copies of the final project reports shall be submitted to Collier County within forty-five (45) days of completion of all field activities and within the stated time of completion for the project. One (1) of the two (2) copies shall contain the original photos as required above.

An overall summary narrative shall be provided in each County report describing the overall conditions found in each associated storm drain line segment grouping. Detailed summary tables shall also be compiled showing those storm drain lines where major and significant defects were located to assist the Project Manager in subsequent project review.

GENERAL SITE CONDITIONS CARE: Due care shall be taken of all existing landscaping. The Contractor may be required to perform necessary site pruning on any existing plant's foliage which will interfere with the equipment or work area to limit total removal and/or replacement of the landscape material. The Contractor shall be responsible for replacement at the Contractor's costs unless otherwise approved by the Project Manager.

EQUIPMENT SUGGESTED:

The Contractor for this project should make four (4) basic methods of internal storm drain pipe observation available.

1. Conventional color observation cameras specifically designed for use in storm drain pipe line observation work and mounted on conventional skids.
2. Conventional color observation cameras specifically designed for use in storm drain pipe line inspection work mounted on floating skids or rafts.
3. Special industrial grade color observation cameras, contained in waterproof housings and carried manually through the storm drain pipe during observation work.
4. Special industrial grade color observation cameras, contained in waterproof housing, and mounted on floating skids or rafts.

The Contractor may be required to submit sample video recordings from recently completed projects demonstrating the picture quality obtained with each available inspection system for storm drain pipe diameters ranging from twelve inch (12") to seventy-two inch (72"). The intent is to insure that the best possible picture quality is made available to Collier County.

In all cases, the complete video system (cameras, lens, lighting, cables, monitors and recorders) shall be capable of providing a picture quality acceptable to the Project Manager, and if unsatisfactory, the equipment shall be removed and no payment will be made for unsatisfactory product.

As with manual observations, accurate and continuous footage readings shall be superimposed on the video recording for each storm drain line observed by remote methods. Also shown shall be the date of the observation and a three-digit number designation for each manhole or inlet box in the line segment taped.

DAILY LOGS: The Contractor shall complete and submit to the Project Manager on a weekly basis a Daily Log documenting the Contractor's activities at the Project site such as:

- Soil or weather conditions which adversely affect the work;
- Daily job site hours of operation;
- Number of Contractor's and Sub-Contractor's personnel present and working at the project site;
- Equipment on the project site;
- Work description being performed;

- Materials received;
- List of visitors;
- Any problems that might impact either the cost or quality of the work or the time of performance.
- Location of any temporary plugs (inflatable or brick and mortar).

METHOD OF OPERATION FOR VIDEO TAPING: All videotaping observation will be done on clean, dry lines when authorized. The storm drain pipes are to be checked for cleanliness by the Project Manager and the Contractor before the start of videotaping observation procedures.

Dirty lines or structures identified after cleaning by the Contractor determined to be unacceptable by the Project Manager shall be re-cleaned to the satisfaction of the Project Manager, within the time specified at no additional cost to Collier County and re-inspected by the Project Manager and Contractor, before the start of the videotaping observation.

De-watering as required will be done by the Contractor and will be paid in accordance with the contract. Temporary plugs used to block the storm sewer for dewatering purposes must be removed prior to rainfall events at no additional cost to the County. The Contractor will be held accountable for any and all damages due to flooding caused by blocking of the storm drain pipe system if not removed in a timely manor.

The video equipment used for the observation shall be specifically designed and constructed for such task. Lighting for the camera shall be suitable to allow for a clear picture of the entire periphery of the storm drain pipe. The camera shall be operative in one hundred percent (100%) humidity conditions. The cameras, monitors, and other components of the video system shall be capable of producing picture quality to the satisfaction of the Project Manager, and if unsatisfactory, equipment will be removed, with no payment being made for an unsatisfactory product result.

The camera shall be moved through the line in either direction at a moderate rate, stopping when necessary to permit proper documentation of the pipe's condition. In no case should the camera be pulled at a speed greater than thirty feet (30') per minute. Manual winches, power winches, TV cable, and powered rewinds, or other devices that do not obstruct the camera view or interfere with proper documentation of the pipe conditions shall be used to move the camera through the storm drain. If during the operation the camera will not pass through the entire manhole section or drain pipe segment, the Contractor shall set up the equipment so that the viewing can be performed from the opposite manhole. If the camera fails to pass through the entire manhole section or drain pipe segment a second time, the task shall be considered complete and no additional viewing will be required.

When manually operated winches are being used to pull the camera through the line, telephones or other suitable means of communication shall be set up between the two manholes or inlet boxes of the section being viewed, to insure good communications between members of the crew.

MISCELLANEOUS RESPONSIBILITIES: The Contractor shall make every effort to protect existing facilities. It shall be the Contractor's responsibility to notify in writing the Project Manager of any construction problems or additional project needs. Should additional costs be involved which are not covered within the Contract Unit Costs, a Unit Cost shall be agreed upon, a Modification to the Purchase Order completed by the Contractor and Project Manager prior to performing additional services.

The Contractor shall communicate frequently with the Project Manager and provide a working schedule after the Notice To Proceed (NTP) has been issued. The written schedule is required to be kept current with the progress of the work. Should the schedule be changed, it shall be immediately up-dated.

The Contractor shall provide all materials, labor, equipment, mobilization/ demobilization, any other necessary effort, element and/or component(s) needed to complete the work in its entirety per plans and/or as instructed by the Project Manager and at the Unit Pricing submitted.

PLUG INSTALLATION AND REMOVAL: When a plug is required the costs shall include a weekly rental, all materials and labor to install and remove the plug for the various pipe sizes.

PRECONSTRUCTION VIDEO: When work is authorized, it is recommended that the Contractor's provide a preconstruction video tape in DVD format documenting the condition of the Project area prior to commencement of any work. This video tape should capture pre-project conditions of all private property adjacent to the proposed project area and public property in the r/w with the intent to document all existing conditions for use in resolving any post-project private or public property alleged damage claims. The video is to be submitted to the Project Manager prior to construction commencement for the Project file at no additional costs.

PROJECT SCHEDULE AND TIME PERIOD: After issuance of the "Notice to Proceed", the Contractor shall prepare and submit to the Project Manager the Project's schedule. If required, the schedule of the work's progress shall be frequently updated and provided to the Project Manager. Micro Soft Project Format is recommended.

The Project shall commence upon receipt of a "Notice to Proceed" letter from the Project Manager and will remain in effect until Final Completion and submission of all the Project closeout documents. Notification of Substantial Completion, Final Completion, and any Claims shall be done in written letter format. Electronic transmission via E-mail is not an acceptable notification form.

Should the Contractor see that additional days will be required a Time Extension Letter will be prepared by the Project Manager or a Modification to the Purchase Order shall be approved.

OBSERVATION RECORDS: Printed records of the locations shall be kept by the Contractor. The records must clearly indicate the culvert size, length of the segment, sump depth within the inlet box, storm drain pipe inverts at each end, and type of storm drain, unusual conditions such as the encroachment of roots, bad or failed storm drain joint connections, broken drain pipe, and other discernable features will be recorded, and a copy of such records will be supplied to the Project Manager.

PROJECT SITE LOCATION: The Contractor will be provided by the Project Manager approved location/segment plans. Both will meet at the site prior to work authorization to review the existing conditions and verify what work is to be accomplished.

REPAIRS OF STORM DRAINS PIPES: Repairs of storm drain pipes will typically be performed by Collier County.

RESPONSE TIMES: On a twenty-four (24) hour basis, the Contractor may be required to travel to the site immediately to meet with the Project Manager, law enforcement or emergency personnel to resolve an emergency. The Contractor shall respond to a telephone, beeper, or radio call within one (1) hour. There shall be no additional charge for these responses. If awarded vendor cannot perform these services, it may be cause for termination. **Awarded vendor must have staffed office ready to respond within one hundred (100) miles of Naples, Florida.**

SANITARY FACILITIES: If the duration of the work is estimated to extend beyond five (5) days, the Contractor shall provide and have serviced portable toilet(s) within the work site area limits as approved by the Project Manager. Each toilet shall be located no further apart within the work area than one-quarter (1/4) mile.

SEDIMENT STORAGE & TESTING: Sediment removed from the storm drain pipe system may be taken to a Collier County specified facility for storage and drying. Permanent disposal or reuse of the storm drain sediments will be determined by Collier County. Sediment sampling and soil testing may be required for FDEP Priority Pollutants if requested by Collier County to determine whether the sediments can be reused on other County projects or should be disposed in the appropriate landfill. There shall be no additional costs for this testing.

SITE MAINTENANCE: The work site areas shall be kept clean and neatly maintained during the progression of the work. Any debris on the roadway shall be swept daily or as directed by the Project Manager. The disposal of all debris and project litter must be at a proper landfill or disposal site. All disposal fees, tipping or charges are to be included in the Bid Schedule Unit Price. Upon completion, leftover materials are to be collected, hauled away, and disposed of by the Contractor leaving the work site in a restored order.

SITE PROTECTION: Improved landscape areas containing landscaping, irrigation systems and mailboxes shall be noted and maintained wherever possible. If removed or destroyed during the accomplishment of the work, the Contractor shall replace or restore to the original condition or better as part of Project completion. The cost of these items shall be considered incidental to the Project unless discussed and addressed with the Project Manager prior to Project commencement. The Contractor shall make every effort to preserve stakes/laths, monuments, bench marks, and other control points. A Florida Registered P.S.M. is responsible for the replacement of any & all survey control or boundary corners damaged or destroyed during construction at the Contractor's expense.

STORM DRAIN PIPE SIZES: Indicated in Bid Schedule are expected storm drain pipe sizes and are for the purpose of Bid Unit Price submission. Collier County reserves the right to adjust/utilize such sizing as may be required for the various anticipated sites during this Contract.

UTILITY CONFLICTS: Utility locates may be conducted prior to commencement of work. Soft digging, pot holing and/or any commonly approved method at the Contractor's discretion may be used to locate existing utilities. In the event that utility conflict(s) arise, the Contractor will be principally responsible for coordinating with the pertinent utility company/companies in order to resolve such conflict(s). Any and all costs associated with utility conflict(s) would be incidental and should be included in the pricing provided in the Bid Response Form. The Project Manager may make exceptions pending justifications by the Contractor.

VIDEO TAPE RECORDINGS: Video tape recordings will be selective and therefore not all storm drain pipe segments will be required to be videotaped. When authorized, the purpose of tape recording shall be to supply a visual and audio record of the storm drains problem area segment(s). Videotaped recording playbacks shall be in the same speed that it was recorded. Slow motion or stop-motion playback features may be supplied at the option of the Contractor. Title to the tape shall become the property of Collier County. The Contractor shall have all video tapes for each storm drain segment accessible for review by the Project Manager.

The cleaned storm drain pipes will be videotaped in DVD format to document and enable evaluation of the existing storm drain conditions. Two (2) copies of the video tape along with written observation reports will be provided to the County. If pipe damage is significant, the pipe cleaning will have to be terminated at the heavily damaged area to avoid causing further damage by additional soil settlement into the storm drain system.

WATER SUPPLY: The Contractor shall supply his own water for cleaning/flushing of the storm drain pipe and or box culvert. It may be necessary to have an account with the Collier County Public Utilities Division for a temporary 2" water meter with an approved and inspected RPZ device as a source for the storm drain pipe cleaning process.

PAYMENT: Payment shall be for the Unit Cost linear feet of storm drain pipe cleaned, observed and accepted for the various storm drain pipe sizes. Payment shall be for the Unit Cost for box culverts and/or CDS system(s) will be for Cubic Foot of material removed. Payment shall be for full compensation for services furnishing:

- Equipment
- Tools
- Labor

- Mobilization/demobilization
- Dewatering
- Plug installation and removal
- Cleaning/flushing
- Videotaping
- Photos
- On-site material transport & disposal
- Maintenance of traffic erosion
- Clean-up
- Disposal/tipping fee charges
- Water pollution control
- Water meter and water supply shall be included in the Unit Pricing
- And all other incidentals necessary for satisfactory performance of the work including the cost of temporary removal and subsequent replacement of fence, signs, guardrail, grates or manhole covers and removal of inlet lids/grates and the cleaning of the inlet boxes.

Unless otherwise noted, these above services are considered incidental to the contract and shall not be paid separately, but shall be included in the Contract Unit Price per linear feet of storm drain pipe and/or box culverts observed and accepted. The Contractor will accept the compensation as provided in this Contract as full payment for furnishing all materials and for performing all work contemplated and embraced under the Purchase Order also for:

- All loss or damage arising out of the nature of the work or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its final acceptance;
- All other costs incurred under the provisions of Division I of the Florida Department of Transportation, Standard Specifications for Road and Bridge Construction, 2000 Edition or latest revision thereof.



Email: BrendaBrilhart@colliergov.net
Telephone: (239) 252-8446
FAX: (239) 252-6697

ADDENDUM #1

Memorandum

Date: October 7, 2010
From: Brenda Brillhart, Purchasing Agent
To: Interested Bidders
Subject: Addendum # 1
ITB 10-5507 – Storm Drain Cleaning, Documenting & Repairs

The following clarifications are issued as an addendum identifying the following change for the referenced solicitation:

ADD: *The following definitions:*

Cleaning refers to the removal of enough material to ensure that at least ninety-five (95%) of the pipe capacity is restored.

Light Cleaning refers to the removal of $\frac{1}{4}$ diameter or less of sediment or debris from a section of the pipe. This item will be billed, at a minimum in 10 foot increments and may be mixed with other types of cleaning. The Contractor will provide certification that at least ninety-five percent (95%) of the pipe capacity is restored. Video inspection may be requested by Project Manager.

Medium Cleaning refers to the removal of between $\frac{1}{4}$ to $\frac{1}{2}$ diameter of sediment or debris from a section of pipe. This item will be billed, at a minimum, in 10 foot increments and may be mixed with other types of cleaning. The Contractor will provide certification that at least ninety-five percent (95%) of the pipe capacity is restored. Video inspection may be requested by Project Manager.

Heavy Cleaning is defined as the removal of greater than $\frac{1}{2}$ diameter of sediment or debris from a section of pipe. This item will be billed, at a minimum, in 10 foot increments and may be mixed with other types of cleaning. The Contractor will provide certification

that at least ninety-five percent (95%) of the pipe capacity is restored. Video inspection may be requested by Project Manager.

Specialty Cleaning, such as the removal of masonry plugs, calcite/concrete deposits, roots or the use of special equipment such as bucket machines will be priced in addition to Light, Medium or Heavy Cleaning as described above. This item will be billed, at a minimum, in 10 foot increments and may be mixed with other types of cleaning.

Specialty Cleaning will only be charged for the footage for which the service was required and for which written approval was authorized by the Project Manager. The contractor will provide certification that at least ninety-five percent (95%) of the pipe capacity is restored. Video inspection may be requested by Project Manager.

If you require additional information please post a question on the Online Bidding site or contact me using the above contact information.

c: Alexander Blanco, Project Manager

Please sign below and return a copy of this Addendum with your submittal for the above referenced solicitation.

(Signature)

Date

(Name of Firm)

AGREEMENT 10-5507

for

"Storm Drain Cleaning, Documenting and Repairs"

THIS AGREEMENT is made and entered into this 14th day of December, 2010, by and between the Board of County Commissioners for Collier County, Florida, a political subdivision of the State of Florida (hereinafter referred to as the "County" or "Owner") and Shenandoah General Construction Company, authorized to do business in the State of Florida, whose business address is 1888 North West 22nd Street, Pompano Beach, Florida 33069 (hereinafter referred to as the "Contractor").

WITNESSETH:

1. **COMMENCEMENT**: The contract shall be for one (1) year period, commencing on December 14, 2010 and terminating December 13, 2011 or until such time as all outstanding Purchase Orders issued prior to the expiration of the Agreement period have been completed. This contract shall have three one (1) year renewals, renewable annually. The County Manager, or his designee, may, at his discretion, extend the Agreement under all of the terms and conditions contained in this Agreement for up to one hundred eighty (180) days. The County Manager, or his designee, shall give the Contractor written notice of the County's intention to extend the Agreement term not less than ten (10) days prior to the end of the Agreement term then in effect.

2. **STATEMENT OF WORK**: The Board of County Commissioners deemed one (1) firm to be pre-qualified and awarded a Contract to each firm. Each awardee will enter into an Agreement to provide complete services for Storm Drain Cleaning, Documentation and Repairs on an as-needed basis as may be required by the Owner in accordance with the terms and conditions of **BID #10-5507** and the Contractor's proposal, which is incorporated by reference and made an integral part of this Agreement. The execution of this Agreement shall not be a commitment to the Contractor that any work will be awarded to the Contractor. Rather, this Agreement governs the rights and obligation of the Quotation procedure outlined in the next paragraphs and all Work undertaken by Contractor for Owner pursuant to this Agreement and that procedure during the term and any extension of the term of this Agreement.

Prior to the issuance of a Purchase Order, the Owner shall provide a summary of Work to be performed which will afford the Contractor the opportunity to submit a formal quotation for the Work; the Contractor shall respond with the information sought within seven (7) working days.

In each Request for Quotation, the Owner reserves the right to specify the period of completion and the collection of liquidated damages in the event of late completion.
3. **THE CONTRACT SUM**: The Owner shall pay the Contractor for the performance of the Work pursuant to the quoted price offered by the Contractor in his response to a specific Request for Quotation. Any County agency may utilize the services offered under this contract, provided sufficient funds are included in its budget(s).
4. **NOTICES**: All notices required or made pursuant to this Agreement to be given by the County to the Contractor shall be made in writing and shall be delivered by hand, by fax, e-mail, or by the United States Postal Service Department, first class mail service, postage prepaid, addressed to the following Contractor's address of record:

Shenandoah General Construction Company
1888 NW 22nd Street
Pompano Beach, FL 33069
954-975-0098 Phone; 954-975-9718 Fax
Daniel DiMura, Vice President

All notices required or made pursuant to this Agreement to be given by the Contractor to the County shall be in writing and shall be delivered by hand, by fax, e-mail, or by United States Postal Service Department, first class mail service, postage prepaid, addressed to the following County's address of record:

Collier County Government Complex
Purchasing Department
3327 East Tamiami Trail
Naples, Florida 34112
Attention: Stephen Y. Carnell
Purchasing/General Services Director
Phone: 239-252-8371
Fax: 239-252-6584

The Contractor and the County may change the above mailing address at any time upon giving the other party written notification. All notices under this Service Agreement must be in writing.

5. **NO PARTNERSHIP**: Nothing herein contained shall create or be construed as creating a partnership between the County and the Contractor or to constitute the Contractor as an agent of the County.
6. **PERMITS: LICENSES: TAXES**: In compliance with Section 218.80, Florida Statutes, all permits necessary for the prosecution of the Work shall be obtained by the Contractor. Payment for all such permits issued by the County shall be processed internally by the County. Contractor is not responsible for paying for permits issued by Collier County, but is responsible for acquiring all permits. Owner may require the Contractor to deliver internal budget transfer documents to applicable Collier county agencies when the Contractor is acquiring permits.

All permits, fees and licenses necessary for the prosecution of the Work which are not issued by Collier County shall be acquired and paid for by the Contractor. Contractor shall pay all sales, consumer, use and other similar taxes associated with the Work or portions thereof, which are applicable during the performance of the Work.

7. **NO IMPROPER USE**: The Contractor will not use, nor suffer or permit any person to use in any manner whatsoever, county facilities for any improper, immoral or offensive purpose, or for any purpose in violation of any federal, state, county or municipal ordinance, rule, order or regulation, or of any governmental rule or regulation now in effect or hereafter enacted or adopted. In the event of such violation by the Contractor or if the County or its authorized representative shall deem any conduct on the part of the Contractor to be objectionable or improper, the County shall have the right to suspend the Contract of the Contractor. Should the Contractor fail to correct any such violation, conduct, or practice to the satisfaction of the County within twenty-four (24) hours after receiving notice of such violation, conduct, or practice, such suspension to continue until the violation is cured. The Contractor further agrees not to commence operation during the suspension period until the violation has been corrected to the satisfaction of the County.

8. **TERMINATION**: Should the Contractor be found to have failed to perform his services in a manner satisfactory to the County and requirements of this Agreement, the County may terminate said Agreement for cause; further the County may terminate this Agreement for convenience with a seven (7) day written notice. The County shall be sole judge of non-performance.
9. **NO DISCRIMINATION**: The Contractor agrees that there shall be no discrimination as to race, sex, color, creed or national origin.
10. **INSURANCE**: The Contractor shall provide insurance as follows:
 - A. **Commercial General Liability**: Coverage shall have minimum limits of \$1,000,000 Per Occurrence, Combined Single Limit for Bodily Injury Liability and Property Damage Liability. This shall include Premises and Operations; Independent contractors; Products and Completed Operations and Contractual Liability.
 - B. **Business Auto Liability**: Coverage shall have minimum limits of \$1,000,000 Per Occurrence, Combined Single Limit for Bodily Injury Liability and Property Damage Liability. This shall include Owned Vehicles, Hired and Non-Owned Vehicles and Employee Non-Ownership.
 - C. **Workers' Compensation**: Insurance covering all employees meeting Statutory Limits in compliance with the applicable state and federal laws. The coverage must include Employers' Liability with a minimum limit of \$1,000,000 for each accident.

Special Requirements: Collier County Board of County Commissioners shall be listed as the Certificate Holder and included as an **Additional Insured** on the Comprehensive General Liability.

Current, valid insurance policies meeting the requirement herein identified shall be maintained by Contractor during the duration of this Agreement. Renewal certificates shall be sent to the County thirty (30) days prior to any expiration date. There shall be a thirty (30) day notification to the County in the event of cancellation or modification of any stipulated insurance coverage.

Contractor shall insure that all subcontractors comply with the same insurance requirements that he is required to meet. The same Contractor shall provide County with certificates of insurance meeting the required insurance provisions.

11. **INDEMNIFICATION**: To the maximum extent permitted by Florida law, the Contractor/Vendor/Consultant shall indemnify and hold harmless Collier County, its officers and employees from any and all liabilities, damages, losses and costs, including, but not limited to, reasonable attorneys' fees and paralegals' fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the Contractor/Vendor/Consultant or anyone employed or utilized by the Contractor/Vendor/Consultant in the performance of this Agreement. This indemnification obligation shall not be construed to negate, abridge or reduce any other rights or remedies which otherwise may be available to an indemnified party or person described in this paragraph.

This section does not pertain to any incident arising from the sole negligence of Collier County.

12. **PAYMENTS.** Generally, the Contractor will be paid upon completion; however, for Work in excess of thirty (30) days, the Contractor may indicate on his response to the Request for Quotation his wish to receive Progress Payments.
13. **PAYMENTS WITHHELD.** Owner may decline to approve any invoice for payment, or portions thereof, because of defective or incomplete work, outstanding items, subsequently discovered evidence or subsequent inspections. The Owner may nullify the whole or any part of any approval for payment previously issued and Owner may withhold any payments otherwise due Contractor under this Agreement or any other agreement between Owner and Contractor, to such extent as may be necessary in the Owner's opinion to protect it from loss because of: (a) defective Work not remedied; (b) third party claims failed or reasonable evidence indicating probable filing of such claims; (c) failure of Contractor to make payment properly to subcontractors or for labor, materials or equipment; (d) reasonable doubt that the Work can be completed for the unpaid balance of the Purchase Order Amount; (e) reasonable indication that the Work will not be completed within the Purchase Order stated Time; (f) unsatisfactory prosecution of the Work by the Contractor; or (g) any other material breach of the Contract Documents.

If any conditions described above are not remedied or removed, Owner may, after three (3) days written notice, rectify the same at Contractor's expense. Owner also may offset against any sums due Contractor the amount of any liquidated or unliquidated obligations of Contractor to Owner, whether relating to or arising out of this Agreement or any other agreement between Contractor and Owner.

14. **SUBMITTALS AND SUBSTITUTIONS.** Any substitution of products/materials from specifications shall be approved in writing by Owner in advance.
15. **CONTRACT TIME AND TIME EXTENSIONS.**
- A. Time is of the essence in the performance of any Work under this Agreement and Contractor shall diligently pursue the completion of the Work and coordinate the Work being done on the Project by its subcontractors and materialmen, as well as coordinating its Work with all work of others at the Project Site, so that its Work or the work of others shall not be delayed or impaired by any act or omission by Contractor. Contractor shall be solely responsible for all construction means, methods, techniques, sequences, and procedures as well as coordination of all portions of the Work under the Contract Documents, and the coordination of Owner's supplies and contractors.
- B. Should Contractor be obstructed or delayed in the prosecution of or completion of the Work as a result of unforeseeable causes beyond the control of Contractor, and not due to its fault or neglect, including but not restricted to acts of Nature or of the public enemy, acts of Government, fires, floods, epidemics, quarantine regulation, strikes or lockouts, Contractor shall notify the Owner in writing within forty-eight (48) hours after the commencement of such delay, stating the cause or causes thereof, or be deemed to have waived any right which Contractor may have had to request a time extension.
- C. No interruption, interference, inefficiency, suspension or delay in the commencement or progress of the Work from any cause whatever, including those for which Owner may be responsible, in whole or in part, shall relieve Contractor of his duty to perform or give rise to any right to damages or additional compensation from Owner. Contractor expressly acknowledges and agrees that it shall receive no damages for delay. Contractor's sole

remedy, if any, against Owner will be the right to seek an extension to the Contract Time; provided, however, the granting of any such time extension shall not be a condition precedent to the aforementioned "No Damage for Delay" provision. This paragraph shall expressly apply to claims for early completion, as well as to claims based on late completion.

16. **CHANGES IN THE WORK.** Owner shall have the right at any time during the progress of the Work to increase or decrease the Work. Promptly after being notified of a change, Contractor shall submit an itemized estimate of any cost or time increases or savings it foresees as a result of the change. Except in an emergency endangering life or property, or as expressly set forth herein, no addition or changes to the Work shall be made except upon written order of Owner, and Owner shall not be liable to the Contractor for any increased compensation without such written order. No officer, employee or agent of Owner is authorized to direct any extra or changed work orally. Any modifications to this Contract shall be in compliance with the County Purchasing Policy and Administrative Procedures in effect at the time such modifications are authorized.
17. **COMPLIANCE WITH LAWS.** Contractor agrees to comply, at its own expense, with all federal, state and local laws, codes, statutes, ordinances, rules, regulations and requirements applicable to the Project, including but not limited to those dealing with taxation, workers' compensation, equal employment and safety (including, but not limited to, the Trench Safety Act, Chapter 553, Florida Statutes). If Contractor observes that the Contract Documents are at variance therewith, it shall promptly notify Owner in writing.
18. **CLEAN UP.** Contractor agrees to keep the Project site clean at all times of debris, rubbish and waste materials arising out of the Work. At the completion of the Work, Contractor shall remove all debris, rubbish and waste materials from and about the Project site, as well as all tools, appliances, construction equipment and machinery and surplus materials, and shall leave the Project site clean and ready for occupancy by Owner.
19. **ASSIGNMENT.** Contractor shall not assign this Agreement or any part thereof, without the prior consent in writing of Owner. If Contractor does, with approval, assign this Agreement or any part thereof, it shall require that its assignee be bound to it and to assume toward Contractor all of the obligations and responsibilities that Contractor has assumed toward Owner.
20. **WARRANTY.** Contractor shall obtain and assign to Owner all express warranties given to Contractor or any subcontractors by any materialmen supplying materials, equipment or fixtures to be incorporated into the Project. Contractor warrants to Owner that any materials and equipment furnished under the Contract Documents shall be new unless otherwise specified, and that all Work shall be of good quality, free from all defects and in conformance with the Contract Documents.

Contractor further warrants to Owner that all materials and equipment furnished under the Contract Documents shall be applied, installed, connected, erected, used, cleaned and conditioned in accordance with the instructions of the applicable manufacturers, fabricators, suppliers or processors except as otherwise provided for in the Contract Documents.

If, within one (1) year after final completion, any Work is found to be defective or not in conformance with the Contract Documents, Contractor shall correct it promptly after receipt of written notice from Owner. Contractor shall also be responsible for and pay for replacement or repair of adjacent materials or Work which may be damaged as a result of such replacement

or repair. These warranties are in addition to those implied warranties to which Owner is entitled as a matter of law.

21. **STANDARDS OF CONDUCT: PROJECT MANAGER, SUPERVISOR, EMPLOYEES.** The Contractor shall employ people to work on County projects who are neat, clean, well-groomed and courteous. Subject to the American with Disabilities Act, Contractor shall supply competent employees who are physically capable of performing their employment duties. The County may require the Contractor to remove an employee it deems careless, incompetent, insubordinate or otherwise objectionable and whose continued employment on Collier County projects is not in the best interest of the County.

22. **TESTS AND INSPECTIONS.** If the Contract Documents or any codes, laws, ordinances, rules or regulations of any public authority having jurisdiction over the Project requires any portion of the Work to be specifically inspected, tested or approved, Contractor shall assume full responsibility therefore, pay all costs in connection therewith and furnish to the Owner the required certificates of inspection, testing or approval. All inspections, tests or approvals shall be performed in a manner and by organizations acceptable to the Owner.

23. **PROTECTION OF WORK.**

- A. Contractor shall fully protect the Work from loss or damage and shall bear the cost of any such loss or damage until final payment has been made. If Contractor or anyone for whom Contractor is legally liable is responsible for any loss or damage to the Work, or other work or materials of Owner or Owner's separate contractors, Contractor shall be charged with the same, and any monies necessary to replace such loss or damage shall be deducted from any amounts due Contractor.
- B. Contractor shall not load nor permit any part of any structure to be loaded in any manner that will endanger the structure, nor shall Contractor subject any part of the Work or adjacent property to stresses or pressures that will endanger it.
- C. Contractor shall not disturb any benchmark established by the Owner with respect to the Project. If Contractor, or its subcontractors, agents or anyone, for whom Contractor is legally liable, disturbs the Owner's benchmarks, Contractor shall immediately notify Owner. The Owner shall re-establish the benchmarks and Contractor shall be liable for all costs incurred by Owner associated therewith.

24. **EMERGENCIES.** In the event of any emergency affecting the safety or protection of persons or the Work or property at the Project site or adjacent thereto, Contractor, without special instruction or authorization from Owner is obligated to act to prevent threatened damage, injury or loss. Contractor shall give the Owner written notice within forty-eight (48) hours after the occurrence of the emergency, if Contractor believes that any significant changes in the Work or variations from the Contract Documents have been caused thereby.

If the Owner determines that a change in the Contract Documents is required because of the action taken in response to an emergency, a Change Order shall be issued to document the consequences of the changes or variations.

If Contractor fails to provide the forty-eight (48) hour written notice noted above, the Contractor shall be deemed to have waived any right it otherwise may have had to seek an adjustment to the Contract Amount or an extension to the Contract Time.

25. **COMPLETION**. When the entire Work (or any portion thereof designated in writing by Owner) is ready for its intended use, Contractor shall notify Owner in writing that the entire Work (or such designated portion) is complete. Within a reasonable time thereafter, Owner and Contractor shall make an inspection of the Work (or designated portion thereof) to determine the status of completion. If Owner does not consider the Work (or designated portion) complete, the Owner shall notify Contractor in writing giving the reasons therefore.

Owner reserves the right to inspect the Work and make an independent determination as to the acceptability of the Work. Unless and until the Owner is completely satisfied, the payment shall not become due and payable.

Owner reserves the right to inspect the Work and make an independent determination as to the acceptability of the Work. Unless and until the Owner is completely satisfied, the final payment shall not become due and payable.

26. **CONTRACT ADMINISTRATION**. This Agreement shall be administered on behalf of the County by the Road and Bridges Department.

27. **COMPONENT PARTS OF THIS CONTRACT**. This Contract consists of the attached or referenced component parts, all of which are as fully a part of the Agreement as if herein set out verbatim, including: Schedule A-Price Sheet, Contractor's Proposal, Insurance Certificate, ITB No. 10-5507, any addenda, any Purchase Order made or issued pursuant to this Agreement, and any related plans or specifications for any such Purchase Orders.

28. **PROHIBITION OF GIFTS TO COUNTY EMPLOYEES**. No organization or individual shall offer or give, either directly or indirectly, any favor, gift, loan, fee, service or other item of value to any County employee, as set forth in Chapter 112, Part III, Florida Statutes, Collier County Ethics Ordinance No. 2004-05, and County Administrative Procedure 5311. Violation of this provision may result in one or more of the following consequences: a. Prohibition by the individual, firm, and/or any employee of the firm from contact with County staff for a specified period of time; b. Prohibition by the individual and/or firm from doing business with the County for a specified period of time, including but not limited to: submitting bids, RFP, and/or quotes; and, c. immediate termination of any contract held by the individual and/or firm for cause.

29. **SUBJECT TO APPROPRIATION**. It is further understood and agreed, by and between the parties herein that this Agreement is subject to appropriation by the Board of County Commissioners.

30. **SALES TAX**. Contractor shall pay all sales, consumer, use and other similar taxes associated with the Work or portions thereof, which are applicable during the performance of the Work. No markup shall be applied to sales tax.

31. **IMMIGRATION LAW COMPLIANCE**: By executing and entering into this agreement, the Contractor is formally acknowledging without exception or stipulation that it is fully responsible for complying with the provisions of the Immigration Reform and Control Act of 1986 as located at 8 U.S.C. 1324, et seq. and regulations relating thereto, as either may be amended. Failure by the Contractor to comply with the laws referenced herein shall constitute a breach of this agreement and the County shall have the discretion to unilaterally terminate this agreement immediately.

IN WITNESS WHEREOF, the Contractor and the County, have each, respectively, by an authorized person or agent, hereunder set their hands and seals on the date and year first above written.

ATTEST:

Dwight E. Brock, Clerk of Courts

By: *Rosa Polaski*

Dated: 1/5/2011

Attest as to Chairman's signature on:

CLERK OF COURTS
COLLIER COUNTY, FLORIDA

[Signature]
First Witness

Margaret [Signature]
Type/Print Witness Name

Wanda Leung
Second Witness

Wanda Leung
Type/Print Witness Name

Approved as to form and legal sufficiency:

Fred R. [Signature]
Deputy County Attorney

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: *Fred W. Coyle*
Fred W. Coyle, Chairman

Shenandoah General Construction Company

By: *[Signature]*
Signature

Daniel Dufura
Typed Signature

Vice President
Title

10-5507 Storm Drain Cleaning, Documenting and Repairs

Schedule A - Price Sheet

| | Description | Unit | Qty | Unit Price | Total |
|--|--|---------|-----|------------|-------------|
| TV Viewing | | | | | |
| 1 | Storm Drain (Video Camera) Observation 0 - 48" Log/Written Report | LF | 10 | \$ 4.00 | \$ 40.00 |
| 2 | Storm Drain (Video Camera) Observation 49" - 72" Log/Written Report | LF | 10 | \$ 5.00 | \$ 50.00 |
| 3 | Cleaning Box Culverts of Debris and Bituminous Materials Removed | Per Ton | 1 | \$ 250.00 | \$ 250.00 |
| 4 | Vacuuming of Continuous Deflection Separation (CDS) Systems Removal of Debris and Bituminous Materials | Per Ton | 1 | \$ 750.00 | \$ 750.00 |
| Plug Installation & Removal (Includes Minimum Weekly Rental) for: | | | | | |
| 5 | 0" to 12" Cross/Side Drain or Equivalent Elliptical Circumference | Week | 1 | \$ 25.00 | \$ 25.00 |
| 6 | 15" to 30" Cross/Side Drain or Equivalent Elliptical Circumference | Week | 1 | \$ 150.00 | \$ 150.00 |
| 7 | 36" to 42" Cross/Side Drain or Equivalent Elliptical Circumference | Week | 1 | \$ 200.00 | \$ 200.00 |
| 8 | 48" to 60" Cross/Side Drain or Equivalent Elliptical Circumference | Week | 1 | \$ 400.00 | \$ 400.00 |
| 9 | 72" to 96" Cross/Side Drain or Equivalent Elliptical Circumference | Week | 1 | \$ 800.00 | \$ 800.00 |
| Pumping | | | | | |
| 10 | 4"hydraulic Pump (with up to 1000' of discharge hose) | Hours | 40 | \$ 15.00 | \$ 600.00 |
| 11 | 6"hydraulic Pump (with up to 1000' of discharge hose) | Hours | 40 | \$ 25.00 | \$ 1,000.00 |
| 12 | 8"hydraulic Pump (with up to 1000' of discharge hose) | Hours | 40 | \$ 45.00 | \$ 1,800.00 |
| Cleaning of CMP or Equivalent Elliptical Circumference | | | | | |
| 13 | Light Cleaning of 15" Pipe | Feet | 1 | \$ 1.50 | \$ 1.50 |
| 14 | Medium Cleaning of 15" Pipe | Feet | 1 | \$ 2.00 | \$ 2.00 |
| 15 | Heavy Cleaning of 15" Pipe | Feet | 1 | \$ 3.00 | \$ 3.00 |
| 16 | Light Cleaning of 18" Pipe | Feet | 1 | \$ 1.75 | \$ 1.75 |
| 17 | Medium Cleaning of 18" Pipe | Feet | 1 | \$ 2.00 | \$ 2.00 |
| 18 | Heavy Cleaning of 18" Pipe | Feet | 1 | \$ 3.00 | \$ 3.00 |
| 19 | Light Cleaning of 24" Pipe | Feet | 1 | \$ 1.75 | \$ 1.75 |
| 20 | Medium Cleaning of 24" Pipe | Feet | 1 | \$ 2.50 | \$ 2.50 |
| 21 | Heavy Cleaning of 24" Pipe | Feet | 1 | \$ 3.50 | \$ 3.50 |
| 22 | Light Cleaning of 30" Pipe | Feet | 1 | \$ 2.00 | \$ 2.00 |
| 23 | Medium Cleaning of 30" Pipe | Feet | 1 | \$ 4.00 | \$ 4.00 |
| 24 | Heavy Cleaning of 30" Pipe | Feet | 1 | \$ 6.00 | \$ 6.00 |
| 25 | Light Cleaning of 36" Pipe | Feet | 1 | \$ 3.00 | \$ 3.00 |
| 26 | Medium Cleaning of 36" Pipe | Feet | 1 | \$ 5.00 | \$ 5.00 |
| 27 | Heavy Cleaning of 36" Pipe | Feet | 1 | \$ 7.00 | \$ 7.00 |
| 28 | Light Cleaning of 42" Pipe | Feet | 1 | \$ 5.00 | \$ 5.00 |
| 29 | Medium Cleaning of 42" Pipe | Feet | 1 | \$ 7.00 | \$ 7.00 |
| 30 | Heavy Cleaning of 42" Pipe | Feet | 1 | \$ 9.00 | \$ 9.00 |
| 31 | Light Cleaning of 48" Pipe | Feet | 1 | \$ 6.00 | \$ 6.00 |
| 32 | Medium Cleaning of 48" Pipe | Feet | 1 | \$ 9.00 | \$ 9.00 |
| 33 | Heavy Cleaning of 48" Pipe | Feet | 1 | \$ 11.00 | \$ 11.00 |
| 34 | Light Cleaning of 54" Pipe | Feet | 1 | \$ 7.00 | \$ 7.00 |
| 35 | Medium Cleaning of 54" Pipe | Feet | 1 | \$ 9.75 | \$ 9.75 |
| 36 | Heavy Cleaning of 54" Pipe | Feet | 1 | \$ 12.75 | \$ 12.75 |
| 37 | Light Cleaning of 60" Pipe | Feet | 1 | \$ 8.00 | \$ 8.00 |
| 38 | Medium Cleaning of 60" Pipe | Feet | 1 | \$ 10.00 | \$ 10.00 |
| 39 | Heavy Cleaning of 60" Pipe | Feet | 1 | \$ 13.50 | \$ 13.50 |

Schedule A - Price Sheet

| | Description | Unit | Qty | Unit Price | Total |
|---|-----------------------------|------|-----|------------|----------|
| 40 | Light Cleaning of 66" Pipe | Feet | 1 | \$ 9.00 | \$ 9.00 |
| 41 | Medium Cleaning of 66" Pipe | Feet | 1 | \$ 12.00 | \$ 12.00 |
| 42 | Heavy Cleaning of 66" Pipe | Feet | 1 | \$ 15.00 | \$ 15.00 |
| 43 | Light Cleaning of 72" Pipe | Feet | 1 | \$ 10.00 | \$ 10.00 |
| 44 | Medium Cleaning of 72" Pipe | Feet | 1 | \$ 14.00 | \$ 14.00 |
| 45 | Heavy Cleaning of 72" Pipe | Feet | 1 | \$ 18.00 | \$ 18.00 |
| 46 | Light Cleaning of 84" Pipe | Feet | 1 | \$ 11.00 | \$ 11.00 |
| 47 | Medium Cleaning of 84" Pipe | Feet | 1 | \$ 19.00 | \$ 19.00 |
| 48 | Heavy Cleaning of 84" Pipe | Feet | 1 | \$ 25.00 | \$ 25.00 |
| 49 | Light Cleaning of 96" Pipe | Feet | 1 | \$ 14.00 | \$ 14.00 |
| 50 | Medium Cleaning of 96" Pipe | Feet | 1 | \$ 25.00 | \$ 25.00 |
| 51 | Heavy Cleaning of 96" Pipe | Feet | 1 | \$ 50.00 | \$ 50.00 |
| Cleaning of RCP or Equivalent Elliptical Circumference | | | | | |
| 52 | Light Cleaning of 15" Pipe | Feet | 1 | \$ 1.50 | \$ 1.50 |
| 53 | Medium Cleaning of 15" Pipe | Feet | 1 | \$ 2.00 | \$ 2.00 |
| 54 | Heavy Cleaning of 15" Pipe | Feet | 1 | \$ 3.00 | \$ 3.00 |
| 55 | Light Cleaning of 18" Pipe | Feet | 1 | \$ 1.75 | \$ 1.75 |
| 56 | Medium Cleaning of 18" Pipe | Feet | 1 | \$ 2.00 | \$ 2.00 |
| 57 | Heavy Cleaning of 18" Pipe | Feet | 1 | \$ 3.00 | \$ 3.00 |
| 58 | Light Cleaning of 24" Pipe | Feet | 1 | \$ 1.75 | \$ 1.75 |
| 59 | Medium Cleaning of 24" Pipe | Feet | 1 | \$ 2.50 | \$ 2.50 |
| 60 | Heavy Cleaning of 24" Pipe | Feet | 1 | \$ 3.58 | \$ 3.50 |
| 61 | Light Cleaning of 30" Pipe | Feet | 1 | \$ 2.00 | \$ 2.00 |
| 62 | Medium Cleaning of 30" Pipe | Feet | 1 | \$ 4.00 | \$ 4.00 |
| 63 | Heavy Cleaning of 30" Pipe | Feet | 1 | \$ 6.00 | \$ 6.00 |
| 64 | Light Cleaning of 36" Pipe | Feet | 1 | \$ 3.00 | \$ 3.00 |
| 65 | Medium Cleaning of 36" Pipe | Feet | 1 | \$ 5.00 | \$ 5.00 |
| 66 | Heavy Cleaning of 36" Pipe | Feet | 1 | \$ 7.00 | \$ 7.00 |
| 67 | Light Cleaning of 42" Pipe | Feet | 1 | \$ 5.00 | \$ 5.00 |
| 68 | Medium Cleaning of 42" Pipe | Feet | 1 | \$ 7.00 | \$ 7.00 |
| 69 | Heavy Cleaning of 42" Pipe | Feet | 1 | \$ 9.00 | \$ 9.00 |
| 70 | Light Cleaning of 48" Pipe | Feet | 1 | \$ 6.00 | \$ 6.00 |
| 71 | Medium Cleaning of 48" Pipe | Feet | 1 | \$ 9.00 | \$ 9.00 |
| 72 | Heavy Cleaning of 48" Pipe | Feet | 1 | \$ 11.00 | \$ 11.00 |
| 73 | Light Cleaning of 54" Pipe | Feet | 1 | \$ 7.00 | \$ 7.00 |
| 74 | Medium Cleaning of 54" Pipe | Feet | 1 | \$ 9.75 | \$ 9.75 |
| 75 | Heavy Cleaning of 54" Pipe | Feet | 1 | \$ 12.75 | \$ 12.75 |
| 76 | Light Cleaning of 60" Pipe | Feet | 1 | \$ 8.00 | \$ 8.00 |
| 77 | Medium Cleaning of 60" Pipe | Feet | 1 | \$ 10.00 | \$ 10.00 |
| 78 | Heavy Cleaning of 60" Pipe | Feet | 1 | \$ 13.50 | \$ 13.50 |
| 79 | Light Cleaning of 66" Pipe | Feet | 1 | \$ 9.00 | \$ 9.00 |
| 80 | Medium Cleaning of 66" Pipe | Feet | 1 | \$ 12.00 | \$ 12.00 |
| 81 | Heavy Cleaning of 66" Pipe | Feet | 1 | \$ 15.00 | \$ 15.00 |
| 82 | Light Cleaning of 72" Pipe | Feet | 1 | \$ 10.00 | \$ 10.00 |
| 83 | Medium Cleaning of 72" Pipe | Feet | 1 | \$ 14.00 | \$ 14.00 |

Schedule A - Price Sheet

| | Description | Unit | Qty | Unit Price | Total |
|---|-----------------------------|------|-----|------------|----------|
| 84 | Heavy Cleaning of 72" Pipe | Feet | 1 | \$ 18.00 | \$ 18.00 |
| 85 | Light Cleaning of 84" Pipe | Feet | 1 | \$ 11.00 | \$ 11.00 |
| 86 | Medium Cleaning of 84" Pipe | Feet | 1 | \$ 19.00 | \$ 19.00 |
| 87 | Heavy Cleaning of 84" Pipe | Feet | 1 | \$ 25.00 | \$ 25.00 |
| 88 | Light Cleaning of 96" Pipe | Feet | 1 | \$ 14.00 | \$ 14.00 |
| 89 | Medium Cleaning of 96" Pipe | Feet | 1 | \$ 25.00 | \$ 25.00 |
| 90 | Heavy Cleaning of 96" Pipe | Feet | 1 | \$ 50.00 | \$ 50.00 |
| Cleaning of HDPE Pipe or Equivalent Elliptical Circumference | | | | | |
| 91 | Light Cleaning of 15" Pipe | Feet | 1 | \$ 1.00 | \$ 1.00 |
| 92 | Medium Cleaning of 15" Pipe | Feet | 1 | \$ 2.00 | \$ 2.00 |
| 93 | Heavy Cleaning of 15" Pipe | Feet | 1 | \$ 3.00 | \$ 3.00 |
| 94 | Light Cleaning of 18" Pipe | Feet | 1 | \$ 1.00 | \$ 1.00 |
| 95 | Medium Cleaning of 18" Pipe | Feet | 1 | \$ 2.00 | \$ 2.00 |
| 96 | Heavy Cleaning of 18" Pipe | Feet | 1 | \$ 3.00 | \$ 3.00 |
| 97 | Light Cleaning of 24" Pipe | Feet | 1 | \$ 1.00 | \$ 1.00 |
| 98 | Medium Cleaning of 24" Pipe | Feet | 1 | \$ 2.00 | \$ 2.00 |
| 99 | Heavy Cleaning of 24" Pipe | Feet | 1 | \$ 3.00 | \$ 3.00 |
| 100 | Light Cleaning of 30" Pipe | Feet | 1 | \$ 2.00 | \$ 2.00 |
| 101 | Medium Cleaning of 30" Pipe | Feet | 1 | \$ 4.00 | \$ 4.00 |
| 102 | Heavy Cleaning of 30" Pipe | Feet | 1 | \$ 6.00 | \$ 6.00 |
| 103 | Light Cleaning of 36" Pipe | Feet | 1 | \$ 3.00 | \$ 3.00 |
| 104 | Medium Cleaning of 36" Pipe | Feet | 1 | \$ 5.00 | \$ 5.00 |
| 105 | Heavy Cleaning of 36" Pipe | Feet | 1 | \$ 7.00 | \$ 7.00 |
| 106 | Light Cleaning of 42" Pipe | Feet | 1 | \$ 5.00 | \$ 5.00 |
| 107 | Medium Cleaning of 42" Pipe | Feet | 1 | \$ 7.00 | \$ 7.00 |
| 108 | Heavy Cleaning of 42" Pipe | Feet | 1 | \$ 9.00 | \$ 9.00 |
| 109 | Light Cleaning of 48" Pipe | Feet | 1 | \$ 6.00 | \$ 6.00 |
| 110 | Medium Cleaning of 48" Pipe | Feet | 1 | \$ 8.00 | \$ 8.00 |
| 111 | Heavy Cleaning of 48" Pipe | Feet | 1 | \$ 10.00 | \$ 10.00 |
| 112 | Light Cleaning of 54" Pipe | Feet | 1 | \$ 7.00 | \$ 7.00 |
| 113 | Medium Cleaning of 54" Pipe | Feet | 1 | \$ 9.00 | \$ 9.00 |
| 114 | Heavy Cleaning of 54" Pipe | Feet | 1 | \$ 11.00 | \$ 11.00 |
| 115 | Light Cleaning of 60" Pipe | Feet | 1 | \$ 8.00 | \$ 8.00 |
| 116 | Medium Cleaning of 60" Pipe | Feet | 1 | \$ 10.00 | \$ 10.00 |
| 117 | Heavy Cleaning of 60" Pipe | Feet | 1 | \$ 12.00 | \$ 12.00 |
| 118 | Light Cleaning of 66" Pipe | Feet | 1 | \$ 8.00 | \$ 8.00 |
| 119 | Medium Cleaning of 66" Pipe | Feet | 1 | \$ 10.00 | \$ 10.00 |
| 120 | Heavy Cleaning of 66" Pipe | Feet | 1 | \$ 12.00 | \$ 12.00 |
| 121 | Light Cleaning of 72" Pipe | Feet | 1 | \$ 8.00 | \$ 8.00 |
| 122 | Medium Cleaning of 72" Pipe | Feet | 1 | \$ 10.00 | \$ 10.00 |
| 123 | Heavy Cleaning of 72" Pipe | Feet | 1 | \$ 12.00 | \$ 12.00 |
| 124 | Light Cleaning of 84" Pipe | Feet | 1 | \$ 8.00 | \$ 8.00 |
| 125 | Medium Cleaning of 84" Pipe | Feet | 1 | \$ 10.00 | \$ 10.00 |
| 126 | Heavy Cleaning of 84" Pipe | Feet | 1 | \$ 12.00 | \$ 12.00 |
| 127 | Light Cleaning of 96" Pipe | Feet | 1 | \$ 8.00 | \$ 8.00 |

Schedule A - Price Sheet

| | Description | Unit | Qty | Unit Price | Total |
|--|---|------|-----|-------------|-------------|
| 128 | Medium Cleaning of 96" Pipe | Feet | 1 | \$ 10.00 | \$ 10.00 |
| 129 | Heavy Cleaning of 96" Pipe | Feet | 1 | \$ 12.00 | \$ 12.00 |
| General Maintenance Repairs | | | | | |
| Slip Lining or Equivalent Elliptical Circumference | | | | | |
| 130 | Slip Lining 15" Pipe | Feet | 1 | \$ 38.00 | \$ 38.00 |
| 131 | Slip Lining 18" Pipe | Feet | 1 | \$ 42.00 | \$ 42.00 |
| 132 | Slip Lining 24" Pipe | Feet | 1 | \$ 51.00 | \$ 51.00 |
| 133 | Slip Lining 30" Pipe | Feet | 1 | \$ 82.00 | \$ 82.00 |
| 134 | Slip Lining 36" Pipe | Feet | 1 | \$ 125.00 | \$ 125.00 |
| 135 | Slip Lining 42" Pipe | Feet | 1 | \$ 145.00 | \$ 145.00 |
| 136 | Slip Lining 48" Pipe | Feet | 1 | \$ 215.00 | \$ 215.00 |
| 137 | Slip Lining 54" Pipe | Feet | 1 | \$ 225.00 | \$ 225.00 |
| 138 | Slip Lining 60" Pipe | Feet | 1 | \$ 250.00 | \$ 250.00 |
| 139 | Slip Lining 66" Pipe | Feet | 1 | \$ 315.00 | \$ 315.00 |
| 140 | Slip Lining 72" Pipe | Feet | 1 | \$ 375.00 | \$ 375.00 |
| 141 | Slip Lining 84" Pipe | Feet | 1 | \$ 415.00 | \$ 415.00 |
| 142 | Slip Lining 96" Pipe | Feet | 1 | \$ 525.00 | \$ 525.00 |
| Cured-In-Place Pipe (CIPP) or Equivalent Elliptical Circumference | | | | | |
| 143 | CIPP 15" Pipe 15 x 6.7 mm (Burial Depth is 0-6') | Feet | 1 | \$ 65.00 | \$ 65.00 |
| 144 | CIPP 15" Pipe 15 x 8.2 mm (Burial Depth is 6-12') | Feet | 1 | \$ 70.00 | \$ 70.00 |
| 145 | CIPP 18" Pipe x 8.1 mm (Burial Depth is 0-6') | Feet | 1 | \$ 75.00 | \$ 75.00 |
| 146 | CIPP 18" Pipe x 9.7 mm (Burial Depth is 6-12') | Feet | 1 | \$ 80.00 | \$ 80.00 |
| 147 | CIPP 24" Pipe x 10.1 mm (Burial Depth is 0-6') | Feet | 1 | \$ 85.00 | \$ 85.00 |
| 148 | CIPP 24" Pipe x 12.4 mm (Burial Depth is 6-12') | Feet | 1 | \$ 90.00 | \$ 90.00 |
| 149 | CIPP 30" Pipe x 13.5 mm (Burial Depth is 0-6') | Feet | 1 | \$ 115.00 | \$ 115.00 |
| 150 | CIPP 30" Pipe x 15.4 mm (Burial Depth is 6-12') | Feet | 1 | \$ 120.00 | \$ 120.00 |
| 151 | CIPP 36" Pipe x 17.2 mm (Burial Depth is 0-6') | Feet | 1 | \$ 130.00 | \$ 130.00 |
| 152 | CIPP 36" Pipe x 18.1 mm (Burial Depth is 6-12') | Feet | 1 | \$ 150.00 | \$ 150.00 |
| 153 | CIPP 42" Pipe x 20.9 mm (Burial Depth is 0-6') | Feet | 1 | \$ 250.00 | \$ 250.00 |
| 154 | CIPP 42" Pipe x 20.6 mm (Burial Depth is 6-12') | Feet | 1 | \$ 220.00 | \$ 220.00 |
| 155 | CIPP 48" Pipe x 25.2 mm (Burial Depth is 0-6') | Feet | 1 | \$ 245.00 | \$ 245.00 |
| 156 | CIPP 48" Pipe x 22.6 mm (Burial Depth is 6-12') | Feet | 1 | \$ 225.00 | \$ 225.00 |
| 157 | CIPP 54" Pipe x 28.2 mm (Burial Depth is 0-6') | Feet | 1 | \$ 420.00 | \$ 420.00 |
| 158 | CIPP 54" Pipe x 24.7 mm (Burial Depth is 6-12') | Feet | 1 | \$ 385.00 | \$ 385.00 |
| 159 | CIPP 60" Pipe x 30.3 mm (Burial Depth is 0-6') | Feet | 1 | \$ 550.00 | \$ 550.00 |
| 160 | CIPP 60" Pipe x 27.3 mm (Burial Depth is 6-12') | Feet | 1 | \$ 525.00 | \$ 525.00 |
| 161 | CIPP 66" Pipe x 31.6 mm (Burial Depth is 0-6') | Feet | 1 | \$ 690.00 | \$ 690.00 |
| 162 | CIPP 66" Pipe x 29.1 mm (Burial Depth is 6-12') | Feet | 1 | \$ 650.00 | \$ 650.00 |
| 163 | CIPP 72" Pipe x 30.4 mm | Feet | 1 | \$ 790.00 | \$ 790.00 |
| 164 | CIPP 84" Pipe x 35.5 mm | Feet | 1 | \$ 899.00 | \$ 899.00 |
| 165 | CIPP 96" Pipe x 40.6 mm | Feet | 1 | \$ 1,050.00 | \$ 1,050.00 |
| Open Cut / Headwall Repairs & Other services | | | | | |
| 166 | Construction Foreman | Hr | 8 | \$ 50.00 | \$ 400.00 |

Schedule A - Price Sheet

| | Description | Unit | Qty | Unit Price | Total |
|-----|---|--------|-----|------------|-------------|
| 167 | Equipment Operator | Hr | 8 | \$ 65.00 | \$ 520.00 |
| 168 | Laborer | Hr | 8 | \$ 35.00 | \$ 280.00 |
| 169 | Pipe Layer | Hr | 8 | \$ 38.00 | \$ 304.00 |
| 170 | Welding (Above & Below Water) | Hr | 8 | \$ 85.00 | \$ 680.00 |
| 171 | Diving Crew (3 Man Team) Certified | Hr | 8 | \$ 210.00 | \$ 1,680.00 |
| 172 | Crane 100 Ton & Below | Hr | 8 | \$ 50.00 | \$ 400.00 |
| 173 | Track or Wheeled Excavator | Hr | 8 | \$ 65.00 | \$ 520.00 |
| 174 | Long Stick Tracked Excavator (60' or Greater) | Hr | 8 | \$ 75.00 | \$ 600.00 |
| 175 | Wheel Loader | Hr | 8 | \$ 40.00 | \$ 320.00 |
| 176 | Backhoe Loader | Hr | 8 | \$ 40.00 | \$ 320.00 |
| 177 | Bulldozer | Hr | 8 | \$ 70.00 | \$ 560.00 |
| 178 | Double Drum Compactor | Hr | 8 | \$ 20.00 | \$ 160.00 |
| 179 | Vibratory Plate Compactor | Hr | 8 | \$ 10.00 | \$ 80.00 |
| 180 | 100 CFM Air Compressor with Hammer | Hr | 8 | \$ 15.00 | \$ 120.00 |
| 181 | De-Watering | Hr | 8 | \$ 95.00 | \$ 760.00 |
| 182 | Asphalt Pavement Replacement | Tons | 1 | \$ 150.00 | \$ 150.00 |
| 183 | Limerock | Tons | 1 | \$ 50.00 | \$ 50.00 |
| 184 | Dirt | Tons | 1 | \$ 25.00 | \$ 25.00 |
| 185 | Driveway Restoration | SY | 1 | \$ 50.00 | \$ 50.00 |
| 186 | Mitered Ends | SY | 1 | \$ 150.00 | \$ 150.00 |
| 187 | Pressure Grout Injection | Joints | 1 | \$ 200.00 | \$ 200.00 |
| 188 | Bahia Sod | Sq Ft | 400 | \$ 0.45 | \$ 180.00 |
| 189 | Floratan Sod | Sq Ft | 400 | \$ 0.50 | \$ 200.00 |
| 190 | Rip Rap Rubble 6" - 12" | Tons | 1 | \$ 75.00 | \$ 75.00 |
| 191 | Rip Rap Bag (80 lb Bags) | Ea | 1 | \$ 12.50 | \$ 12.50 |
| 192 | Placement Rip Rap Bags | Sq Ft | 1 | \$ 10.00 | \$ 10.00 |
| 193 | Concrete Pillow Blanket slope protection | SY | 1 | \$ 125.00 | \$ 125.00 |
| 194 | Silt Screen Installation & Removal per 100 ft | Ea | 1 | \$ 500.00 | \$ 500.00 |
| 195 | Maintenance of Traffic | Ea | 1 | \$ 250.00 | \$ 250.00 |
| 196 | Mobilization Fee | Ea | 1 | \$ 300.00 | \$ 300.00 |
| 197 | Material Mark Up % | % | | 10% | |



CERTIFICATE OF LIABILITY INSURANCE

OP ID: NX

DATE (MM/DD/YYYY)

12/14/10

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | | |
|--|--|---|--|-----------------------|
| PRODUCER Gateway Insurance Agency Fort Lauderdale Branch 2430 W. Oakland Park Blvd. Fort Lauderdale, FL 33311 PJK Old business | | 954-735-5500 954-735-2852 | CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: PRODUCER CUSTOMER ID #: SHEGE03 | FAX (A/C, No): |
| INSURED Shenandoah General Construction Company 1888 NW 22 Street Pompano Beach, FL 33069 | | INSURER(S) AFFORDING COVERAGE | | NAIC # |
| | | INSURER A : Commerce & Industry Ins Co | | |
| | | INSURER B : Ohio Casualty Insurance Co. | | 024074 |
| | | INSURER C : New Hampshire Insurance Co. | | |
| | | INSURER D : | | |
| | | INSURER E : | | |
| | | INSURER F : | | |

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|---|--|-------------------------------------|----------|---------------|-------------------------|-------------------------|--|
| A | GENERAL LIABILITY | | | 4376363 | 12/31/09 | 12/31/10 | EACH OCCURRENCE \$ 1,000,000 |
| | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY | <input checked="" type="checkbox"/> | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 |
| | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR | | | | | | MED EXP (Any one person) \$ 10,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | PERSONAL & ADV INJURY \$ 1,000,000 |
| | <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC | | | | | | GENERAL AGGREGATE \$ 2,000,000 |
| | | | | | | | PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| | | | | | | | \$ |
| A | AUTOMOBILE LIABILITY | | | 8263475 | 12/31/09 | 12/31/10 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 |
| | <input checked="" type="checkbox"/> ANY AUTO | | | | | | BODILY INJURY (Per person) \$ |
| | <input type="checkbox"/> ALL OWNED AUTOS | | | | | | BODILY INJURY (Per accident) \$ |
| | <input type="checkbox"/> SCHEDULED AUTOS | | | | | | PROPERTY DAMAGE (Per accident) \$ |
| | <input checked="" type="checkbox"/> HIRED AUTOS | | | | | | \$ |
| <input checked="" type="checkbox"/> NON-OWNED AUTOS | | | \$ | | | | |
| B | UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR | | | EUO1054322844 | 12/31/09 | 12/31/10 | EACH OCCURRENCE \$ 2,000,000 |
| | EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE | | | | | | AGGREGATE \$ 2,000,000 |
| | DEDUCTIBLE | | | | | | \$ |
| | RETENTION \$ | | | | | | \$ |
| C | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | WC6988274 | 01/01/10 | 01/01/11 | <input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER |
| | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) | <input type="checkbox"/> | N/A | | | | E.L. EACH ACCIDENT \$ 1,000,000 |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 |
| | | | | | | | E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Sewers & Drain Cleaning - Proof of Insurance only. Subject to the terms, conditions and exclusions of the policies. Certificate Holder is listed as Additional Insured with respect to the General Liability when requested by written contract only. Contract #10-5507 - Storm Drain Cleaning, Documenting & Repairs.

CERTIFICATE HOLDER

COLCO32

Collier County
 Purchasing Department
 3327 Tamiami Trail East
 Naples, FL 34112

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

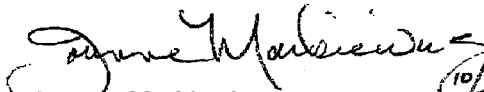
AUTHORIZED REPRESENTATIVE

© 1988-2009 ACORD CORPORATION. All rights reserved.

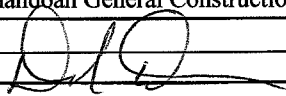
RE: Renewal of Contract #10-5507 "Storm Drain Cleaning Documenting and Repairs"

Please return this letter to the Purchasing Department with your response at your earliest convenience. If you have any questions you may contact me at 239-252-6020, email brendareaves@colliergov.net and fax 239-252-6292 or 239-732-0844.

Best regards,


Joanne Markiewicz
Interim Director – Purchasing/General Services

10/29/13

| Acceptance of Contract Renewal | |
|--|--|
| Name of Company | Shenandoah General Construction Company |
| Company Signature (Corporate Officer) |  |
| Print Corporate Officer Name | Daniel DiMura, Vice President |
| Signature Date | 10/29/13 |

| Updated Contact Information (In order to make sure our contact information is current.) | |
|--|--|
| Contact Name | Margaret Lary |
| Telephone Number | 954-975-0098 |
| FAX Number | 954-975-9718 |
| Email Address | Margaret.Lary@shenandoahconstruction.com |
| Address | 1888 NW 22 Street, Pompano Beach, FL 33069 |

C: JR Gorentz, Travis Gossard, Road & Bridge

SHENANDOAH

CONSTRUCTION

1888 N.W. 22nd Street • Pompano Beach, FL 33069

(772) 467-8862

Fax: (772) 467-8863

PROPOSAL #33839

DATE: March 12, 2014
SUBMITTED TO: City of Fort Pierce Engineering Dept.
STREET: 100 N. US 1 PO Box 1480
CITY, STATE & ZIP: Fort Pierce, Fl 34954
PHONE: (772)460-2200
FAX: (772) 460-6847
JOB LOCATION: Indian Hills Golf Course/FEC Railroad/ R/W/City Pk
ATTENTION: Tracy Telle

We propose to furnish a crew and all necessary equipment to televise and slip line existing 60" RCP outfall pipe, at the above mentioned job location. This work will be performed at our following hourly and/or unit prices:

| | | | |
|--|-----------------------------|-----------------|---------------------|
| 2 Televise 60" Pipe | (at \$5.00 Per L.F.) | 980 L.F. | \$4,900.00 |
| 138 Slip Line 60" with 54" HDPE DR32.5 | (at \$250.00 Per L.F.) | 980 L.F. | \$245,000.00 |
| 174 long Stick Excavators | (at \$75.00 Per Hour) | 50 hour(s) | \$3,750.00 |
| 173 Track Excavator | (at \$65.00 Per Hour) | 50 hour(s) | \$3,250.00 |
| 167 Equipment Operator | (at \$65.00 Per Hour) | 150 hour(s) | \$9,750.00 |
| 166 Construction Forman | (at \$50.00 Per Hour) | 50 hour(s) | \$2,500.00 |
| 168 Laborer | (at \$35.00 Per Hour) | 200 hour(s) | \$7,000.00 |
| 195 MOT | (at \$250.00 Each) | 1 Each | \$250.00 |
| 196 Mob. Fee | (at \$300.00 Each) | 1 Each | \$300.00 |
| 121 Light Clean 60" pipe | (at \$8.00 Per L.F.) | 980 L.F. | \$7,840.00 |
| 176 Backhoe Loader | (at \$40.00 Per Hour) | 50 hour(s) | \$2,000.00 |
| 10% contingency | (at \$28,654.00 Fixed Cost) | 1 Fixed Cost(s) | \$28,654.00 |
| Estimated Total: | | | \$315,194.00 |

NOTE: Due to the fragile condition of the existing pipe(s), the possibility of the pipe collapsing exists during the construction phase. If this unlikely event occurs, we will provide you with an additional estimate for a necessary point repair to complete the lining process.

This proposal may be withdrawn if not accepted within 30 days. Payment terms net 30 days.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Price above is only an estimate of foreseen conditions. Unforeseen conditions can affect the amount of time to complete the work, therefore increasing or decreasing estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Unless noted above engineering, permits, testing and bonds are not included in the pricing. Owner is to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. Parties to this proposal/contract expressly waive all tort claims against each other and limit their remedies to breach of contract.

SIGNATURE: _____ MAC _____ RB: _____
SHENANDOAH GENERAL CONSTRUCTION CO. TITLE DATE
Mindy Cotrupi Estimator 03/12/2014

ACCEPTANCE OF PROPOSAL / SIGN & RETURN

The above prices, specification and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

SIGNATURE: _____
COMPANY NAME: _____ DATE: _____
REPRESENTATIVE: _____ TITLE: _____

City Commission Regular Meeting

Agenda Item # 9. n.

Meeting Date: 04/07/2014

Re: Kimley-Horn Specific Authorization No. 2

Submitted For: John Andrews, City Engineer, Engineering

SUBJECT:

Request approval of Kimley-Horn and Associates Specific Authorization No. 2 for compensation of additional engineering services in the amount of \$31,172.00 for the Heathcote Botanical Park and Gardens Stormwater Project - Phase I Improvements AKA Indian Hills Recreation Area Stormwater Improvement Project.

SUMMARY:

This Specific Authorization includes engineering services during the construction phase of the project. The services to be rendered are pre-construction meeting attendance, construction progress meeting attendance, construction observation, shop drawing reviews, contractor's Request for Information, and final project certifications.

RECOMMENDATION:

Approval

ALTERNATIVES:

Request proposals from other engineering companies on the City's short-list.

RESPONSIBLE STAFF:

Engineering

COORDINATED WITH:

Public Works

Fiscal Impact

Budgeted Y/N: N/A
Fiscal Year: N/A
Account: 403-4300-538-3490
Amount: \$31,172.00

FISCAL IMPACT:

The \$31,172.00 shall be encumbered from the Stormwater Utility Management fund, Account No. 403-4300-538-3490.

Attachments

Kimley-Horn CA Approved SA No. 2

**HEATHCOTE BOTANICAL PARK AND GARDENS
STORMWATER PROJECT - PHASE I IMPROVEMENTS
SCOPE OF SERVICES
SPECIFIC AUTHORIZATION NO. 2**

Pursuant to the provisions contained in the "Agreement for Professional Engineering Services" between The City of Fort Pierce (hereinafter referred to as "CITY") and Kimley-Horn and Associates, Inc. (Hereinafter referred to as "ENGINEER") dated the _____ day of _____ 2014, CITY authorizes the ENGINEER to provide services under the terms and conditions set forth herein and in the AGREEMENT, which is incorporated herein by reference as though set forth in full.

The CITY desires additional services related to Heathcote Botanical Park and Gardens Stormwater Project – Phase I Improvements, hereinafter referred to as the "Project".

This Project is not an FDOT funded project.

Section 1 - Scope of Work and Schedule of Services

ENGINEER will provide the following services in accordance with this AUTHORIZATION:

This Project, known as, Heathcote Botanical Park and Gardens Stormwater Project – Phase I, The additional work to be performed includes post design construction phase services as described in Exhibit "A", attached hereto and incorporated by reference herein.

Section 2 - Deliverables

ENGINEER shall provide the following deliverables to the CITY as listed below and as described in Exhibit "A", attached hereto and incorporated by reference herein:

| Description of Deliverables | months/date |
|--|-------------|
| 1. Construction Services on an as needed basis | N/A |

Section 3 - Method and Amount of Compensation

CITY will compensate ENGINEER for services under this AUTHORIZATION in accordance with the payment method as set forth in the attached Exhibit "B", attached hereto and incorporated by reference herein.

The budget (or fee) for the services is estimated to be \$31,172.00

**HEATHCOTE BOTANICAL PARK AND GARDENS
STORMWATER PROJECT - PHASE I IMPROVEMENTS
SCOPE OF SERVICES
SPECIFIC AUTHORIZATION NO. 2**

Section 4 - CITY's Responsibilities

CITY hereby designates City Engineer or designee as CITY's representative pursuant to Section 8 of the AGREEMENT.

Section 5 - Other Provisions

All applicable portions of the AGREEMENT not specifically modified herein shall remain in full force and effect and are incorporated by reference herein. Please note that the following services are not included in our proposal:

IN WITNESS WHEREOF, this AGREEMENT, consisting of six (6) pages has been fully executed on behalf of the ENGINEER by its duly authorized officer, and the CITY has the same to be duly executed in its name and in its behalf, effective as of the date herein above written.

CITY OF FORT PIERCE, FLORIDA:

By: _____
Linda Hudson, Mayor

Date: _____

Attest: _____
City Clerk

KIMLEY-HORN & ASSOCIATES, INC.

By: _____
Brian Good, P.E, Senior Vice President

Date: 3/7/14

APPROVED AS TO FORM & CORRECTNESS:

By: _____
Robert V. Schwerer, Esquire, City Attorney

Date: 3/11/14



Kimley-Horn
and Associates, Inc.

January 30, 2013

Jack Andrews, P.E.
City of Fort Pierce Engineering Department
100 N. US Highway 1
Fort Pierce, FL 34950
772-467-3773

■
Suite 200
445 24th Street
Vero Beach, Florida
32960

RE: Supplemental Services Authorization No. 2 –
Post Design Services Work Authorization
Heathcote Botanical Park and Gardens Stormwater Project –
Phase I

Dear Mr. Andrews:

We are pleased to submit to you this supplemental services work authorization scope of services associated with the Heathcote Botanical Park and Gardens Stormwater Project. This proposal includes professional consulting services associated with post design construction phase services support. Please find attached the project scope of services and fees based upon our project understanding.

We appreciate this opportunity to work with the City and look forward to participating in this project. Should you have any questions, please feel free to contact me at 772-794-4083.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "B. Good", with a large, stylized flourish extending to the right.

Brian A. Good, P.E.
Senior Vice President

EXHIBIT A – SCOPE OF SERVICES

Professional consulting services are required to provide Post Design Construction Phase Services associated with the Heathcote Botanical Park and Gardens Stormwater Project, in the City of Ft. Pierce.

The project consists of constructing stormwater treatment improvements within the land parcel and existing lake that is located immediately south of the Indian Hills golf course, and are bound to the west by the Oleander Gardens residential subdivision and to the east by the Florida East Coast Railroad. The primary project components are as follows:

- Expansion (widening) of the existing lake
- Construction of two (2) timber pedestrian bridges
- Construction of a steel sheetpile weir structure.
- Construction of an alum treatment facility
- Construction of a pervious paver parking lot.
- Relocation of existing water main
- Landscape and littoral plantings

A. POST DESIGN CONSTRUCTION PHASE SERVICES:

During the Construction Phase, the ENGINEER will assist the CITY to provide design clarifications and design field changes, as necessary. The scope of services contemplated to be provided within the Construction Phase Services consists of the following:

- a. Pre-Bid Meeting. The ENGINEER will attend the pre-bid meeting to assist the CITY in describing the scope of work contained with the construction documents. The ENGINEER will evaluate and provide a recommendation related to alternative materials or products proposed by the contractor for consistency with the project specifications. The ENGINEER shall provide oral and/or written clarifications to questions presented relative to the scope of work identified within the construction documents. Effort associated with these activities will be billed as lump sum as they have been provided in advance of this supplemental work authorization.
- b. Bi-Weekly Construction Meetings/ Construction Observation. It is estimated that the construction duration will be 6 months. It is anticipated that the ENGINEER will be available to participate in the construction meetings, as requested by the CITY. The ENGINEER will also be available to make visits at intervals as directed by the CITY in order to



observe the progress of the Work. Such visits and observations by the ENGINEER are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on ENGINEER's exercise of professional judgment. Based on information obtained during such visits and such observations, the ENGINEER will evaluate whether the Contractor's work is generally proceeding in accordance with the Contract Documents.

- c. Clarifications and Interpretations. The ENGINEER will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents to the CITY as appropriate to the orderly completion of the Contractor's work. Any orders authorizing variations from the Contract Documents will be made by the CITY.
- d. Change Orders. The ENGINEER may recommend Change Orders to the CITY, and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.
- e. Shop Drawings and Samples. The ENGINEER will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which the Contractor is required to submit, but only for conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs. All submittals will be transmitted through the CITY, unless otherwise directed.
- f. Inspections and Tests. The ENGINEER may require special inspections or tests of the Contractor's work as the ENGINEER deems appropriate, and may receive and review certificates of inspections within the ENGINEER's area of responsibility or of tests and approvals required by laws and regulations or the Contract Documents. The ENGINEER's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. The ENGINEER shall be entitled to rely on the results of such tests, surveys and the facts being certified. All inspections and testing will be conducted by the CITY.



- g. Final Notice of Acceptability of the Work. The ENGINEER will conduct a final site visit to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that the ENGINEER may recommend, in writing, final payment to the Contractor. Accompanying the recommendation for final payment, the ENGINEER shall also provide a notice that the Work is generally in accordance with the Contract Documents to the best of the ENGINEER's knowledge, information, and belief based on the extent of its services and based upon information provided to the ENGINEER upon which it is entitled to rely. The ENGINEER will review as-built surveys and tests submitted by the contractor and review for conformity with the projects applicable permits. Upon acceptance of the submitted as-built drawings by the ENGINEER and CITY, the ENGINEER will submit the applicable permit certifications.
- h. Limitation of Responsibilities. The ENGINEER shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. The ENGINEER shall not have the authority or responsibility to stop the work of any Contractor.

EXHIBIT B - COMPENSATION

The CITY agrees to pay and the ENGINEER agrees to accept for services rendered pursuant to the following fees:

A. Professional Services Fee: The basic compensation mutually agreed upon by the ENGINEER and the CITY is as follows:

| <u>Hourly Not-to-Exceed Task Description</u> | <u>Fee</u> |
|--|-------------------------|
| Post Design Construction Phase Services | \$ 25,000 |
| | |
| <u>Lump Sum Task Description</u> | <u>Fee</u> |
| Pre-Bid Meetings and Contractor RFI Response Preparation | \$ 6,172 |
| | |
| Grand Total | <u>\$ 31,172</u> |

City Commission Regular Meeting

Agenda Item # 9. o.

Meeting Date: 04/07/2014

Re: Extension of the Current Golf Car Lease

SUBJECT:

Acceptance of proposal from Yamaha Motor Corp. for 60 month extension of golf car lease at the current cost of \$40,572.00 per year for 73 new Yamaha standard gasoline and 2 electric golf cars.

SUMMARY:

We have been leasing our current golf car fleet from Yamaha Motor Corp. for the past 60 months. If we accept this additional 60 month lease, the cost of the new fleet will not increase the monthly payments. Other options, i.e., a shorter lease with Yamaha or leasing from another vendor would increase the payments by approximately \$1,000 per month.

The new fleet of golf cars will be delivered by the end of April 2014.

RECOMMENDATION:

As the proposal contains no increase in price, it is recommended that the Commission approve the request.

ALTERNATIVES:

None, without an increase in price.

RESPONSIBLE STAFF:

Lucille R. Posa, Golf Course Operations Manager.
Barry Lezark, Golf Course Superintendent

COORDINATED WITH:

Tony Barnes, Director of Administrative Services.

Fiscal Impact

Budgeted Y/N: Yes
Fiscal Year: 2013/2014
Account: 40545005724410
Amount: \$40,572.00

FISCAL IMPACT:

The current golf car lease is \$40,572.00 per year for 73 gas and 2 electric golf cars. This payment would remain the same for the next 60 months.

Attachments



1000 GA Highway 34 East • Newnan, Georgia • 30265-1320

Telephone: 866-747-4027 • Fax: 770-254-4158

New Fleet Car Agreement Prepared For:

Indian Hills Golf Course

Fort Pierce, Florida

March 17, 2014

To: The City of Fort Pierce / Indian Hills GC

I really wanted to thank you for the opportunity to submit this proposal for new *Yamaha* golf cars at your facility. Our desire is to not only provide you with the best product and service in the industry, but to also form a lasting business partnership for many years to come.

This proposal should include everything you requested, but if you would like to change or customize a few things to better fit your needs please give me a call.

Included is a sixty (60) month Yamaha lease extension proposal on 73 new Yamaha standard gasoline and 2 electric golf cars. These cars will be delivered towards the end of April 2014. The club will make their current 4/1/2014 lease payment on the existing fleet cars and the new lease will begin with a 5/1/2014 payment on the new sixty (60) month lease of new 2014 fleet golf cars.

Please note the following conditions included with the acceptance of a new Yamaha Lease on seventy-five new 2014 Yamaha gasoline golf cars. See attached proposal.

- 1) Yamaha will pick up the existing lease golf cars at no cost to the City after 4/1 payment is made on the existing car lease.
- 2) Yamaha will require that all current 2009 trade in cars are in running condition with no extensive body damage and the chargers on the two (2) electric cars are working.
- 3) Upon agreement of this new lease proposal, Yamaha will terminate existing Lease agreement with the City after the 4/1/2014 payment has been received, and install 75 new golf cars, as stated in proposal, on a new Yamaha sixty (60) month Municipal lease.

I know that both *Yamaha Golf-Car Company* and I can exceed your expectations, and once again I appreciate your time and consideration.

Sincerely,

Tommy Dee
District Manager – East Florida
Yamaha Golf-Car Company
561.598.9518 - Cell
561.626.2505 - Fax



Proposal Expressly Prepared For Indian Hills Golf Course

February 5, 2014

Seventy (73) 2014 Yamaha *Gasoline* “ Drive “ golf cars equipped with a 357 CC engine that is Yamaha built, low-emission, 11.4 HP, and single cylinder with splash style positive oil lubrication system. Yamaha is the only golf car manufacturer that makes their own engine and it is the only engine in the industry that was designed specifically for golf course use, thus making it the most fuel efficient engine available; and is 30 to 34%% better than the competition. Yamaha is proud of our industry first EnduraDrive transaxle that is essentially maintenance free and eliminates the need for brake drums and shoes. The cars also feature an automotive, ladder style, HybriCore Chassis consisting of a 100% robotically welded steel frame, that is protected by an 18 step paint process, with a polypropylene structural floor that is 2.5 times stronger than our previous model yet is also 20% lighter. Not only built for durability, but also comfort, the Drive features the largest and most comfortable contoured seat, the largest sweater basket, largest bag well and the largest canopy top in the industry. With the largest area of entry and egress, an automotive style dash, and a fully independent Tru-Trak II front suspension the Drive is designed to meet all of your customer’s needs.

Standard Features Included

| | |
|--|---|
| Sweater Basket | ClimaGuard Top with Dual Rain Gutters |
| Sentry Wraparound Protection System | Energy absorbing 5 MPH bumpers |
| Thermoplastic Olefin Body | Maintenance free Rack and Pinion Steering |
| Perma-lubed, sealed ball bearings | Self- adjusting Internal Braking System |
| Coil Springs Over Hydraulic Shock Absorbers | 6.3 Gallon Gas Tank |
| Maintenance Free Internal Transaxle Disc Brake | Four (4) Cup Drink Holder |

Optional Equipment Included

| | |
|---------------------------|----------------------|
| Sand Bucket - 2 per car | Color: Glacier White |
| Fleet Numbers (2 per car) | |
| Hubcaps | |

60 Month Municipal Lease Option – Drive Gasoline Golf Car (Color: Glacier White)

All equipment leased through an agreement with Yamaha Golf-Car Company is done by our sister division, **Yamaha Commercial Customer Finance**. Yamaha is proud to offer the only in house financing in the golf car industry and is able to custom fit a lease to your specific needs.

Yamaha Lease: 60 month payment lease with Twelve (12) monthly payments on cars as specified above in equipment page at \$45.08 per car per month with payments as follows: Payments include Seventy-three (73) white 2014 Yamaha Drive gasoline and two (2) electric golf cars.

| | | | | | | |
|-------------------------|-----------|---------------------------|----------------|-------------------------------|-------------------|--|
| Number of cars = | 75 | Per car per year = | \$45.08 | Total annual payment = | \$3,381.00 | |
|-------------------------|-----------|---------------------------|----------------|-------------------------------|-------------------|--|

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
|------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| January | | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 |
| February | | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 |
| March | | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 |
| April | | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 |
| May | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 | |
| June | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 | |
| July | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 | |
| August | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 | |
| September | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 | |
| October | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 | |
| November | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 | |
| December | \$3,381 | \$3,381 | \$3,381 | \$3,381 | \$3,381 | |
| Total | \$27,048.00 | \$40,572.00 | \$40,572.00 | \$40,572.00 | \$40,572.00 | \$13,524.00 |

The above quotation does not include any applicable taxes or insurance and is subject to the final approval of Yamaha Commercial Customer Finance and Yamaha Golf-Car Company, additional documentation to follow. This quotation is valid for 30 days. This agreement constitutes the entire agreement between the parties specified above and supersedes any previous agreements between the parties whether oral or in writing. Neither party has made any additional representations or understandings to the other party except as set forth in this agreement.

Additional Benefits

Upon entering into the last year of the lease with Commercial Customer Finance, if all terms and conditions of the lease have been satisfactorily met, Yamaha Golf-Car Company will allow the Lessee the option of rolling into a new lease of new Yamaha golf cars. The new lease agreement must be with Commercial Customer Finance and will be subject to their credit approval. The new lease payment will be based upon the current pricing and rates at that time.

If the proposal is acceptable under the above terms please sign and date

Accepted by: _____ Date: _____
 Indian Hills GC

Accepted by: Tommy Dee
 Yamaha District Manager

Accepted by: _____ Date: _____
 Yamaha Regional Manager

3/17/2014
 Date





Yamaha Standard Factory Warranty

Company hereby warrants that any new YDRA gas or YDRE electric Yamaha golf car purchased from an authorized Yamaha golf car dealer in the United States will be free from defects in material and workmanship for FOUR years from date of purchase, subject to the stated limitations.

DURING THE PERIOD OF WARRANTY any authorized Yamaha golf car dealer will, free of charge, repair or replace, at Yamaha’s option, any part adjudged defective by Yamaha due to faulty workmanship or material from the factory. Parts used in warranty repairs will be warranted for the balance of the vehicle’s warranty period. All parts replaced under warranty become property of Yamaha Golf-Car Company.

GENERAL EXCLUSIONS from this warranty shall include any failures caused by: Abnormal strain, neglect, or abuse, including lack of proper maintenance, and use contrary to the Owner’s/Operator’s Manual instructions. **b.** Accident or collision damage. **c.** Installation of parts or accessories that are not original equipment. **d.** Fading, rust, or deterioration due to exposure or ordinary wear and tear. **e.** Modifications or alterations that affect the car’s condition, operation, performance, or durability, or which makes the car serve a purpose other than use as a two-person, golf course vehicle. **f.** Damage due to improper transportation. **g.** Acts of God, i.e. lightning, hail damage, flooding, fire, etc.

WARRANTY COVERAGE:

Year 1: The first year of warranty shall cover the entire vehicle except for the Specific Exclusions below.

Year 2: The second year exclusions are the YDRA battery, body parts, seats, mats, bumper assembly, bag carrier, scorecard holder, trim, and the Specific Exclusions below.

Year 3: The third year exclusions include the second year exclusions, plus the control cables and electrical system (except electronic speed controller, battery charger, and electric motor), and the Specific Exclusions below.

Year 4: The fourth year of the warranty covers only the electric motor, speed controller, battery charger, and transaxle on the YDRE and the engine, clutch system (except drive belt), and transaxle on the YDRA.

SPECIFIC EXCLUSIONS: Specific exclusions from this warranty shall include the following:

- Any parts replaced due to normal wear or routine maintenance, including oil and air filter elements, tire wear, spark plugs, starter and clutch drive belts.
- Any charges incurred in transporting a golf car or charger to and from an authorized Yamaha golf car dealer for service or in performing field service are also excluded from this warranty.
- Gasoline powered golf car starting batteries on vehicles equipped with a golf course GPS device, or any other device with a high parasitic current draw, unless the vehicle is equipped with an optional factory installed deep cycle starting battery.

I have read and agree to the above conditions set forth in the Warranty
Initial

YAMAHA FOUR-YEAR LIMITED BATTERY WARRANTY

Yamaha Golf-Car Company hereby warrants to the original Retail Purchaser or Lessee or a Yamaha YDRE golf car, PTV or electric utility vehicle from an Authorized Yamaha Dealer, that the Trojan batteries charged with a Yamaha battery charger will be free for defects in material and workmanship, and will provide “36-hole performance” for a period of four-years, “1,000 rounds” or 20,000 amp hours discharged from date of purchase, whichever events occurs first, subject to the terms and conditions of the complete warranty within the warranty. A copy of the complete warranty has been included with this Proposal via email or print form.

I have read and agree to the above conditions set forth in the Warranty
Initial

Yamaha’s Factory Direct/Authorized Dealer Service

Yamaha Golf-Car Company’s combination of factory direct service technicians and authorized dealers provides a level of service that is second to none. The fully equipped service trucks provide onsite repairs to help reduce down time. All visits are provided on an as needed basis by calling Yamaha’s fleet service supervisor, Steve White, at 1-800-390-5545.

City Commission Regular Meeting

Agenda Item # 9. p.

Meeting Date: 04/07/2014

Re: Settlement Agreement and Memorandum of Understanding - Teamsters Local 769

Submitted For: Robert Schwerer, City Attorney, City Attorney

SUBJECT:

Accept Teamsters Local 769 Settlement Agreement and Memorandum of Understanding.

SUMMARY:

Settlement Agreement and Memorandum of Understanding which encompasses the agreements reached by Management and Teamsters Local 769 in the recent Arbitration case. Management reports that funding for retroactive wages and wage increases through the end of this fiscal year will come from existing budgets. Approval by the Commission is a housekeeping matter due to reallocations of budgeted funds that will be used to comply with the settlement.

RECOMMENDATION:

Approval by Commission

ALTERNATIVES:

none

RESPONSIBLE STAFF:

City Attorney and City Manager

COORDINATED WITH:

N/A

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

See Above.

Attachments

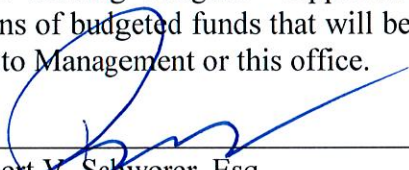
Settlement Agreement and Memorandum of Understanding

CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY

MEMORANDUM

TO: Fort Pierce Mayor & Commissioners
FROM: Robert V. Schwerer, Esq., City Attorney
SUBJECT: Settlement Agreement – Teamsters Local 769
DATE: March 27, 2014

Attached is a Settlement Agreement and Memorandum of Understanding which encompasses the agreements reached by Management and Teamsters Local 769 in the recent Arbitration case. Management reports that funding for retroactive wages and wage increases through the end of this fiscal year will come from existing budgets. Approval by the Commission is a housekeeping matter due to reallocations of budgeted funds that will be used to comply with the settlement. Please direct any questions to Management or this office.



Robert V. Schwerer, Esq.
City Attorney

Enclosure

RVS/cf

cc: Robert J. Bradshaw, City Manager
Nick Mimms, Deputy City Manager
Gloria Johnson, Finance Director
Linda Cox, City Clerk

SETTLEMENT AGREEMENT
AND MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT is made this 25 day of March, 2014, by and between the CITY OF FORT PIERCE, FLORIDA, a Florida Municipal Corporation (hereafter "CITY"), and TEAMSTERS LOCAL 769, a Collective Bargaining Group (hereafter "TEAMSTERS").

WITNESSETH

WHEREAS, Teamsters Local 769 and the City are involved in an arbitration proceeding hearing over the issue of a wage adjustment allegedly required by a parity clause in Article 22(b) of the Teamster's current Collective Bargaining Agreement ("the CBA"); and

WHEREAS, both the Teamster's and City wish to arrive at an amicable resolution of this wage dispute without the need for a further hearing; and

WHEREAS, upon approval of this Settlement Agreement and Memorandum of Understanding ("Agreement"), the parties intend to be legally bound by all of the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the terms and conditions of this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties do hereby stipulate and agree as follows:

1. The effective date ("Effective Date") of this Agreement shall be the date the last of the parties hereto shall have formally approved this Agreement, but no later than April 21, 2014.

2. The parties agree that the City shall increase Teamster's Bargaining Unit Employees wages by two and eight-tenths (2.8%) percent effective January 1, 2013 for all bargaining unit members employed and on the payroll as of the Effective Date of this Agreement. Unit members who are topped out in their respective pay grade or wage position shall receive a one-time longevity bonus equal to two and eight-tenths (2.8%) percent of their annual pay.

3. This Agreement resolves any and all issues arising from, which were brought, or could have been brought in that certain Arbitration FMCS Case No.: 13-57358-39 (Wage Increase – Class Action), which action shall be deemed dismissed with prejudice upon the Effective Date of this Agreement, and the Teamster's hereby release the City from any and all claims presented by said arbitration except as provided herein.

4. The Teamsters and the City further agree that this Agreement concludes all negotiations and resolves any and all CBA and open contract issues though and including FY 2013-2014.

SM

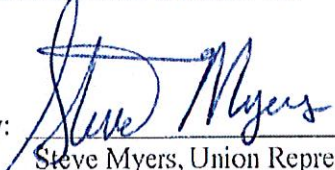
5. Each party to this Agreement shall bear their own attorney's fees and costs incurred with the negotiation and drafting of this Agreement and the arbitration proceeding referenced above, and further agree to that each shall pay one-half of the arbitrator's fees to be billed separately to each party.

IN WITNESS WHEREOF, the parties have hereunto set their hands in seals on the date and year first written above.

CITY OF FORT PIERCE, FLORIDA
a Florida Municipal Corporation

By: 
Robert J. Bradshaw, City Manager

TEAMSTERS LOCAL 769

By: 
Steve Myers, Union Representative

City Commission Regular Meeting

Agenda Item # 10. a.

Meeting Date: 04/07/2014

Re: Zoning Map Amendment (Rezoning) - 4100 Glades Cut-Off Rd. - Diamond R. Fertilizer

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

SUBJECT:

Ordinance No. 14-007 - A Zoning Atlas Amendment request for 4100 Glades Cut-Off Road.
SECOND READING

SUMMARY:

- Diamond R. Fertilizer has been at this location since the 1970's.
- While in the County, prior to Annexation, it had a heavy industrial (I3) zoning classification.
- This property was annexed into the City limits in 2004 under I1, Light Industrial zoning in the absence of a Heavy Industrial zoning category which was later implemented in 2008 via ordinance L-63. It would be a business friendly effort to restore their zoning status to the heavy industrial classification they enjoyed prior to annexation.
- HI, Heavy Industrial Future Land Use

RECOMMENDATION:

Approve the Zoning Atlas Amendment for 4100 Glades Cut-Off Road.

ALTERNATIVES:

Deny the Zoning Atlas Amendment

RESPONSIBLE STAFF:

Clarissa Davis

COORDINATED WITH:

Rebecca Grohall, AICP

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Ordinance 14-007

Staff Report

Location Map

Zoning Map

Property Record Card

Warranty Deed

Ordinance K-308

Zoning Atlas Amendment Application

ORDINANCE NO. 14-007

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **REZONING** THE PROPERTY GENERALLY LOCATED AT **4100 GLADES CUT-OFF ROAD**, FROM I1, LIGHT INDUSTRIAL ZONE, TO I3, HEAVY INDUSTRIAL ZONE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida, a municipal corporation, as follows:

SECTION 1. From and after the effective date hereof, the following property legally described as:

30/31 35 40 THAT PART OF SE 1/4 OF SE 1/4 OF SEC 30 AND THAT PART OF NE 1/4 OF NE 1/4 OF SEC 31 LYG N AND W OF GLADES CUTOFF RD-LESS W 272.18 FT AND LESS RD AND CANAL RS/W- (37.46 AC) (OR 2021-449)

shall be and the same is hereby rezoned from I1, Light Industrial Zone, to I3, Heavy Industrial Zone; said property being generally located at 4100 Glades Cut-Off Road in Fort Pierce, Florida.

SECTION 2. All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance is and the same shall become effective immediately upon final passage thereof.

**APPROVED AS TO FORM
AND CORRECTNESS:**

Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)^{SS}

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-007 was duly advertised by title only in the St. Lucie News Tribune on February 28, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on March 17,

2014; and was duly introduced, read by title only, and passed on second and final reading on April 7, 2014 by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 7th day of April, 2014.

Linda Hudson,
Mayor Commissioner

Linda W. Cox,
City Clerk

(CITY SEAL)



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: The Honorable Mayor and Members of the City Commission
THROUGH: Rebecca Grohall, AICP, Planning Manager
FROM: Clarissa Davis, Planner
SUBJECT: Diamond R Fertilizer: Zoning Map Amendment
DATE: February 19, 2013

STAFF REPORT

Owner/Applicant: Diamond R Fertilizer
4100 Glades Cut-Off Road
Fort Pierce, FL 34981

Representative: Tracy Kay
4100 Glades Cut-Off Road
Fort Pierce, Florida 34981

Requested Action: Approval of a Zoning Atlas Amendment (Rezoning) from I1, Light Industrial to I3, Heavy Industrial.

Location: 4100 Glades Cut-Off Road

Parcel Id: 2430-441-0005-000-7

Current Future Land Use: HI, Heavy Industrial

Current Zoning: I1, Light Industrial

Proposed Zoning: I3, Heavy Industrial

Surrounding Zoning:

| North | East | South | West |
|-------|------|-------|-------|
| AR-1 | I1 | I1 | IX/IH |

Parcel(s) Size: 37.46 acres

Utilities: Within the FPUA Retail Service Area

Staff Analysis:

The applicant is requesting the approval of a Zoning Atlas Amendment (Rezoning) from I1, Light Industrial to I3, Heavy Industrial.

Diamond R. Fertilizer is a fertilizer and agrichemical business that has been in production for over 70 years producing dry and liquid fertilizers, seeds and crop protection. The business has grown immensely and has established many locations including one at 4100 Glades Cut-Off Rd.

The subject site was annexed into City limits in 2004 via Ordinance K-308 along with 5 other parcels. Though the intensity of the use for the parcel would warrant a heavier zoning, it received I-1, Light Industrial in the absence of an appropriate zoning. I3, Heavy Industrial wasn't established until the later date of December 1, 2008 via Ordinance L-63. This request is to give the subject site its proper zoning.

The current future land use zoning for this site is HI, Heavy Industrial. This zoning exists for uses that include intensive manufacturing and processing facilities; storage and distribution facilities; warehousing; general and intensive commercial uses; large business parks; office, retail, and service uses that provide support to employees; and compatible public, quasi-public, and special uses.

There will be no additional impact on facilities such as water, solid waste, transportation, etc. Any further expansion of the facility will require review of the impacts on level of service.

TRC Comments:

This Zoning Atlas Amendment was distributed to the respective entities of the Technical Review Committee. All affected departments have reviewed the application and had no comment.

Planning Board Recommendation:

The Planning Board, at their February 11th, 2014 meeting, gave a recommendation of **approval**.

Staff Comments:

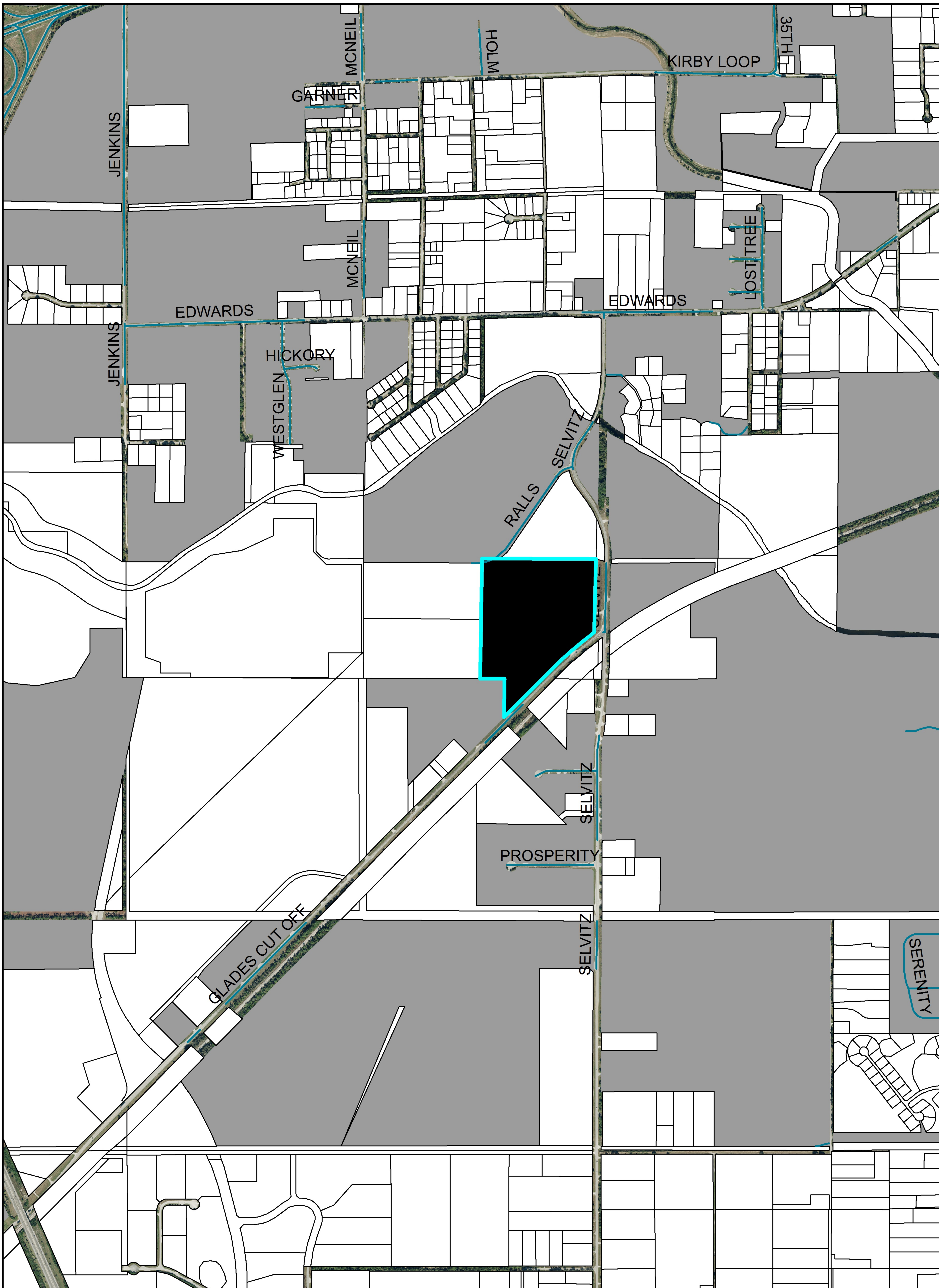
Before an amendment may be approved, the following standards must be satisfied per Section 22-131 of the City Code:

- (1) The amendment is consistent with the comprehensive plan;
- (2) The amendment will not have an adverse affect on the ability of the city to:
 - a. Satisfy land and water use needs; and
 - b. Meet transportation demands and provide community facilities and services; and
- (3) The amendment will promote and protect the public health, safety and general welfare.




The Zoning Atlas Amendment is to give the correct zoning classification to this use now that the proper zoning is available. The change in its zoning classification does not, at this time, create any additional impact on water, wastewater, solid waste, etc.

As the proposed amendment meets the above standards, Staff recommends that the City Commission **approve** the Zoning Atlas Amendment on first reading and schedule for second reading for April 7, 2014.

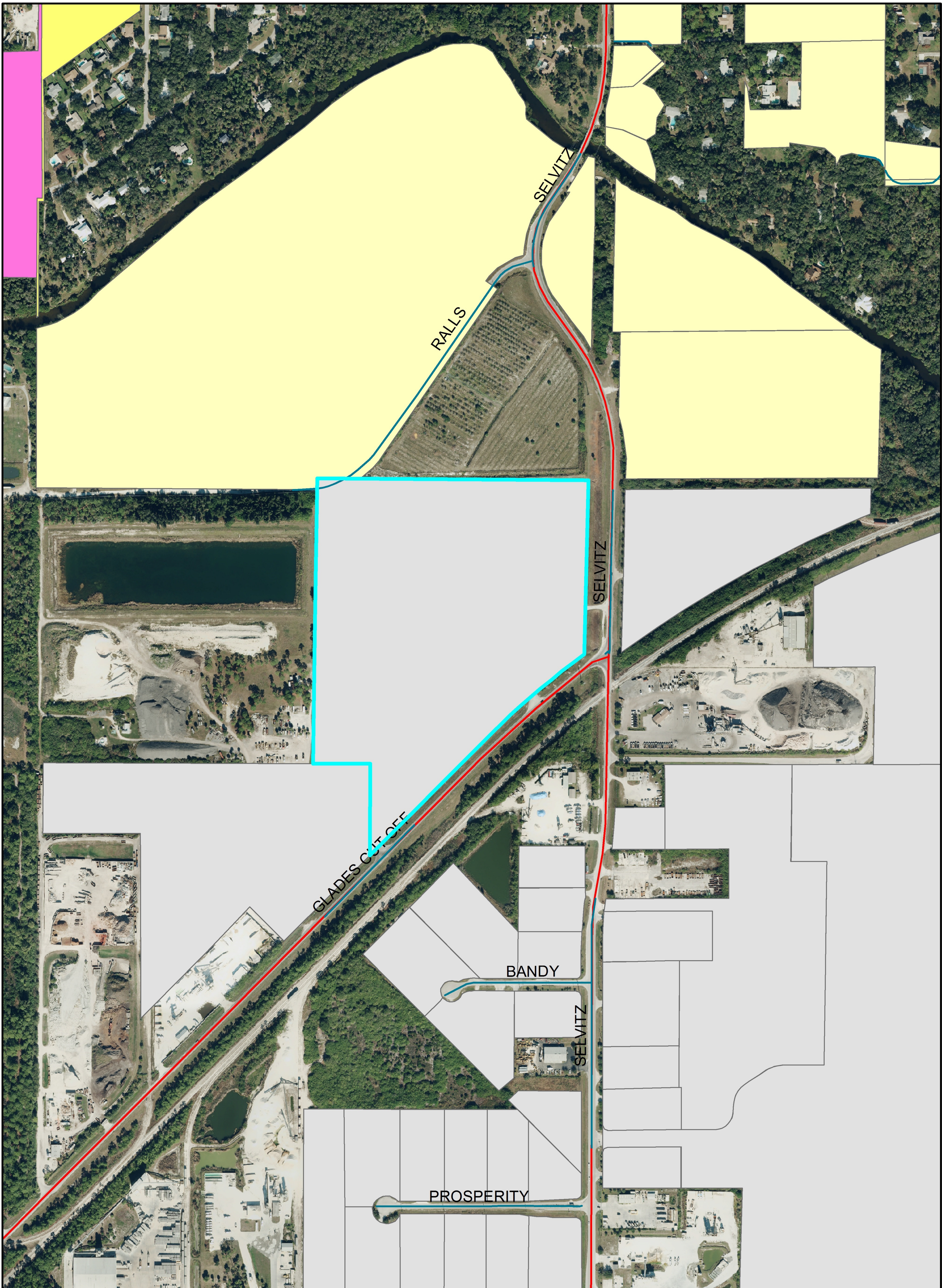
Location Map



Legend

-  County Limits
-  4100 Glades Cut-Off Rd.
-  Fort Pierce City Limits

Zoning Map



N

Legend

- I1 (Grey square)
- R1 (Light yellow square)
- R2 (Yellow square)
- PUD (Pink square)

PROPERTY RECORD CARD

Diamond R Fertilizer Co Inc Record: 1 of 5 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 4100 Glades Rd ParcelID: 2430-441-0005-000-7
 Sec/Town/Range: 30 :35S :40E Account #: 32835
 Map ID: 24/30S Use Type: MNRAL
 Zoning: II City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Diamond R Fertilizer Co Inc
 Address: 4100 Glades Cut Off Rd
 Fort Pierce FL 34981-4711

Legal Description

30/31 35 40 THAT PART OF SE 1/4 OF SE 1/4 OF SEC 30 AND THAT PART OF NE 1/4 OF NE 1/4 OF SEC 31 LYG
More...

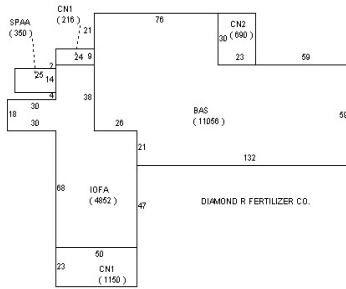
Sales Information

| Date | Price | Code | Deed |
|-----------|--------|------|------|
| 7/19/2004 | 100 | 01 | WD |
| 9/1/1974 | 300000 | 00 | CV |

Assessment 2013
 2013 Final: 3204200
 Assessed: 3204200
 Ag. Credit: 0
 Exempt:
 Taxable:
 Taxes: 81897.1

Total Land and Building
 Land Value: 2247600 Acres: 37.46
 Building Value: 956600
 Finished Area: 48789 SqFt

BUILDING INFORMATION



Exterior Features

| | | | | | |
|------------|--------------------|------------|------------------|-------------|------------------|
| View: | - | RoofCover: | SM - Sheet Metal | RoofStruct: | ST - Steel Truss |
| ExtType: | INDM - INDUS-MANUF | YearBlt: | 1975 | Frame: | - |
| Grade: | Y_D+ - Commer D+ | EffYrBlt: | 1975 | PrimeWall: | CM - Corr Metal |
| StoryHght: | 0010 - 1 Story | No. Units: | 1 | SecWall: | - |

Interior Features

| | | | | | |
|-----------|-----|-----------|------------------|-------------|--------------|
| BedRooms: | 0 | Electric: | MX - MAXIMUM | PmIntWall: | DW - Drywall |
| FullBath: | 0 | HeatType: | FHA - FrcdHotAir | AvgHt/FI: | |
| 1/2Bath: | 0 | HeatFuel: | ELEC - Electric | Pm. Flors: | CU - Carpet |
| %A/C: | 100 | %Heated: | 100 | %Sprinkled: | 0 |

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Type | Measure | Depth |
|---------------------|-----|------|-------|-------|-------|--------|-----|------------|------------|---------|-------|
| CNC2 - CONCRETE LOW | Y | 1 | 5000 | AV | AV | 1977 | 1 | 4700-MNRAL | 580 -Acres | 37.46 | |
| FEN7 - CHAINLINK 7' | Y | 1 | 1970 | AV | AV | 1977 | | | | | |
| BARB - BARB WIRE | Y | 1 | 1970 | AV | AV | 1977 | | | | | |
| ASP1 - ASP1 HIGH | Y | 1 | 17830 | AV | AV | 1977 | | | | | |
| LLDK - LOADING DOCK | Y | 1 | 3083 | AV | AV | 1975 | | | | | |
| FEN4 - CHAINLINK 4' | Y | 1 | 292 | AV | AV | 2011 | | | | | |

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

* Doc Assump: \$ 0.00
* Doc Tax : \$ 0.70
* Int Tax : \$ 0.00

Parcel ID Number:
Grantee TIN:

Warranty Deed

This Indenture, made this 19th day of July A.D. 2004 Between

Pioneer Ag-Chem, Inc., A Florida Corporation

of the County of **St. Lucie**, State of **Florida**, grantor, and

(Handwritten initials)

Diamond R Fertilizer Co., Inc., A Florida Corporation

whose address is: P.O. Box 12489, Fort Pierce, Florida

of the County of **St. Lucie**, State of **Florida**, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever the following described land, situate, lying and being in the County of **St. Lucie** State of **Florida** to wit:

See attached Exhibit A

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set hand and seal the day and year first above written.
Signed, sealed and delivered in our presence:

Tracy A Kay
Printed Name: Tracy A Kay
Witness

Pioneer Ag-Chem, Inc
BY: Wayne Carlton (Seal)
Wayne Carlton, President
Post Office Box 12489
Ft. Pierce, FL 34979

Barbara Conits
Printed Name: BARBARA CONITS

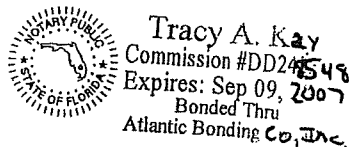
ATTEST: Steve Cassens
Steve Cassens, Secretary
Post Office Box 12489
Ft. Pierce, FL 34979

Witness

State of **Florida**
County of **St. Lucie**

The foregoing instrument was acknowledged before me this 19th day of July, 2004
by Wayne Carlton, President Steve Cassens, Sec. who is personally known to me or who has produced
as identification.

Tracy A Kay
Printed Name: Tracy A Kay
Notary Public
My Commission Expires:


Tracy A. Kay
Commission #DD24548
Expires: Sep 09, 2007
Bonded Thru
Atlantic Bonding Co, Inc.

OFFICE OF CITY CLERK
CITY OF FORT PIERCE
155 N. U.S. 1
P.O. BOX 1400
FORT PIERCE, FL 34954

ORDINANCE NO. K-308

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE SIX PARCELS OF LAND GENERALLY LOCATED EAST AND WEST OF SELVITZ ROAD, NORTH OF GLADES CUT-OFF ROAD (KNOWN AS 3398 SELVITZ ROAD, 3548 SELVITZ ROAD, 3630 SELVITZ ROAD, 4100 GLADES CUT-OFF ROAD, 4510 GLADES CUT-OFF ROAD, AND OTHER PARCELS CONTIGUOUS THERETO); DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS JANUARY 1, 2005; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, be and they are hereby extended to annex to the said City six parcels of land generally located east and west of Selvitz Road, north of Glades Cut-off Road (known as 3398 Selvitz Road, 3548 Selvitz Road, 3630 Selvitz Road, 4100 Glades Cut-off Road, 4510 Glades Cut-off Road, and other parcels contiguous thereto); legally described as:

PARCEL 1 - THAT PART OF NW 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING SOUTH OF TEN MILE CREEK, SUBJECT TO CANAL RIGHT-OF-WAY OVER THE WEST 48 FEET THEREOF; AND ALSO THAT PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING SOUTH OF TEN MILE CREEK, SUBJECT TO CANAL RIGHT-OF-WAY OVER THE WEST 48 FEET THEREOF; AND ALSO THAT PART OF SECTION 30, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE FOR SELVITZ ROAD AS IT PRESENTLY EXISTS, SUBJECT TO A CANAL RIGHT-OF-WAY OVER THE EAST 48 FEET THEREOF, ALL OF THE ABOVE BEING IN ST. LUCIE COUNTY, FLORIDA. (OR 455-1910) (PROPERTY I.D. 2429-321-0003-000-0) (PROPERTY I.D. 2430-411-0001-000-6) - 3398 SELVITZ ROAD

PARCEL 2 - 30 35 40 THAT PART OF S 1/2 OF NE 1/4 LYG SLY OF CANAL 71 (TEN MILE CREEK) AND WLY OF SELVITZ RD AND N 1/2 OF SE 1/4 LYG WLY OF SELVITZ AND RALLS RDS AND SLY OF CANAL 71 (TEN MILE CREEK) AND N 50FT OF N 1/2 OF SW 1/4 OF SE 1/4 (72.62 AC) (OR 495-2541) (PROPERTY I.D. 2430-134-0014-000-0) - ADDRESS TO BE DETERMINED

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 2527722 12/30/2004 at 08:58 AM
OR BOOK 2125 PAGE 2193 - 2196 Doc Type: ORDIN
RECORDING: \$35.50

PARCEL 3 - 29 35 40 S 1/2 OF NW 1/4 OF SW 1/4-
LESS W 88 FT AND LESS THAT PART LYG WITHIN
54.08 FT ELY OF BASE LI OF SURVEY OF SELVITZ
RD (SURVEY RECORDED IN PB 13-2) (19.00
AC) (PROPERTY I.D. 2429-323-0001-000-2) - 3548
SELVITZ ROAD

PARCEL 4 - 29 35 40 THAT PART OF SW 1/4 OF SW
1/4 LYG N OF FEC CUT-OFF BRANCH MPDAF: BEG SW
COR OF SEC RUN N 1320 FT, TH E 1320 FT, TH S
1320 FT, TH W 1320 FT TO POB-LESS W 128 FT FOR
RD AND CANAL RS/W- (33) (12.34 AC) (OR 1641-
2079) (PROPERTY I.D. 2429-331-0002-000-4) -
3630 SELVITZ ROAD

PARCEL 5 - 0/31 35 40 THAT PART OF SE 1/4 OF
SE 1/4 OF SEC 30 AND THAT PART OF NE 1/4 OF NE
1/4 OF SEC 31 LYG N AND W OF GLADES CUT-OFF
RD-LESS W 272.18 FT AND LESS RD AND CANAL
RS/W- (37.46 AC) (OR 232-1272,1273) (PROPERTY
I.D. 2430-441-0005-000-7) - 4100 GLADES CUT-
OFF ROAD

PARCEL 6 - 31 35 40 BEG AT NE COR OF NW 1/4 OF
NE 1/4 TH ELY ALG N LI SD SEC31 272.18 FT, TH
SLY 410 FT M/L TO N LY R/W GLADES CUTOFF RD,
TH S44 DEG 34 MIN W ALG SD R/W 608.44 FT M/L,
TH N 45 DEG 26 MIN W 219.21 FT, TH S 44 DEG 34
MIN W727.15 FT, TH N 882.03 FT, TH W LY ALG S
LI OF N 1/2 OF N 1/2 OF NW 1/4 OF NE 1/4
457.88 FT M/L TO ELY R/W CANAL #99, TH N LY
ALG SD ELY CANAL R/W 330 FT M/L TO N LI SD SEC
31, TH ELY ALG SD N LI 1277.50 FT M/L TO POB
(23.57 AC) (OR 351-1336,1341:514-2288) (PROPERTY
I.D. 2431-121-0002-000-6) - 4510 GLADES CUT-
OFF ROAD

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Section 1 hereof as of January 1, 2005 and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That the City Clerk shall cause notice of this annexation to be published once each week for two consecutive weeks prior to final passage in The Tribune in Fort Pierce, Florida.

SECTION 4. That upon this ordinance becoming effective, the land hereinabove described and annexed to the territorial limits of

the City of Fort Pierce shall be and the same are zoned: Parcels 1-3 - R-1, Single Family Low Density Zone, and the Future Land Use Designation is RL, Low Density Residential Land Use; and Parcels 4-6 - I-1, Light Industrial Zone, and the Future Land Use Designation is I, Industrial Land Use, in accordance with the Zoning Ordinance of the City of Fort Pierce, Florida.


SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall be and become effective December 31, 2004.

STATE OF FLORIDA) ss
ST. LUCIE COUNTY)

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. K-308 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in The Tribune in Fort Pierce, Florida, on November 8, 2004, and on November 15, 2004; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on December 6, 2004; and was duly introduced, read by title only, and passed on second and final reading on December 20, 2004, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 21th day of December 2004.


MAYOR COMMISSIONER


CITY CLERK



(CITY SEAL)



CITY OF FORT PIERCE

PLANNING DEPARTMENT

Rebecca Grohall, AICP, Planning Manager
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

Map Amendment

Property address or Location 4100 Glades Road, Ft. Pierce, Florida
Parcel ID #(s) 2430-441-0005-000-7
Project description Rezoning of Property

Diamond R Fertilizer Co., Inc.
Property Owner(s)
4100 Glades Rd.
Street Address
Ft. Pierce, FL 34981
City State Zip
772-464-9300
Phone Number
tracy.kay@diamond-r.com
Email Address

Tracy Kay, Vice President
Applicant/Representative, Title, Company
4100 Glades Rd.
Street Address
Ft. Pierce, FL 34981
City State Zip
772-464-9300
Phone Number
tracy.kay@diamond-r.com
Email Address

Property Owner(s) Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein.

Diamond R Fertilizer Co., Inc.

By: Tracy Kay

Property Owner(s) Signature(s) Tracy Kay, Vice President

STATE OF FLORIDA -- St Lucie COUNTY

The foregoing instrument was acknowledged before me this 26 day of Dec, 2013, by

Tracy Kay who is personally known to me or has produced
Barbara Conits as identification.

Signature of Notary

(seal)



INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 460-2200 x247

TO BE COMPLETED BY STAFF

| Zoning | Future Land Use | Total Acres | Historic District | Historic Designation | |
|-----------|-----------------|--------------|-------------------|----------------------|------------|
| <u>I2</u> | <u>HI</u> | <u>37.46</u> | <u>N/A</u> | Contributing | Individual |
| | | | | Non-Contributing | None |

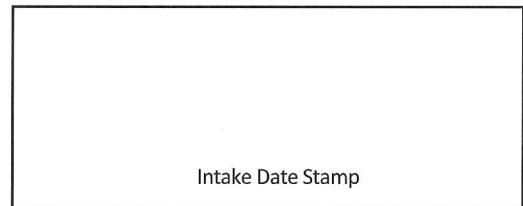
Pre-Application Meeting Date _____ Fees _____ Control # _____ B. Permit # _____

Intake Planner _____

Planner Assigned _____

Approved By _____ Date _____

Comments _____



MAP AMENDMENT

Submit one (1) original & seven (7) hard copies and one (1) CD of the following. Additional copies will be required of subsequent submittals.

- Complete notarized application
- As-built Survey
- Warranty Deed
- Concurrency submittals
- SLC Property Record Card
- Environmental Impact Report
- Traffic Impact Report
- Support Documentation

Application Type:

- Amending the Zoning Atlas Map
- Amending the Future Land Use Map

Site Information:

1,631,757.60 s.f or 37.46 acres

Non-Residential: Proposed Sq. Ft.: _____ Residential: Proposed Units: _____

Surrounding Uses: (i.e. single family home, retail, industrial, etc.)

| North | South | East | West |
|-------|---------|---------|---------|
| AR-1 | IH & II | IH & I1 | II & IH |

Application Outlook



PROPERTY RECORD CARD

Diamond R Fertilizer Co Inc Record: 1 of 5 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 4100 Glades Rd ParcelID: 2430-441-0005-000-7
 Sec/Town/Range: 30 :35S :40E Account #: 32835
 Map ID: 24/30S Use Type: MNRAL
 Zoning: I1 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Diamond R Fertilizer Co Inc
 Address: 4100 Glades Cut Off Rd
 Fort Pierce FL 34981-4711

Legal Description

30/31 35 40 THAT PART OF SE 1/4 OF SE 1/4 OF SEC 30 AND THAT PART OF NE 1/4 OF NE 1/4 OF SEC 31 LYG
[More..](#)

Sales Information

| Date | Price | Code | Deed |
|-----------|--------|------|------|
| 7/19/2004 | 100 | 01 | WD |
| 9/1/1974 | 300000 | 00 | CV |

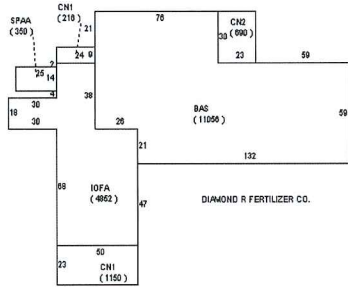
Assessment 2013

2013 Final: 3204200
 Assessed: 3204200
 Ag.Credit: 0
 Exempt:
 Taxable:
 Taxes: 81897.1

Total Land and Building

Land Value: 2247600 Acres: 37.46
 Building Value: 956600
 Finished Area: 48789 SqFt

BUILDING INFORMATION



Exterior Features

View: - RoofCover: SM - Sheet Metal RoofStruct: ST - Steel Truss
 ExtType: INDM - INDUS-MANUF YearBlt: 1975 Frame: -
 Grade: Y_D+ - Commer D+ EffYrBlt: 1975 PrimeWall: CM - Corr Metal
 StoryHght: 0010 - 1 Story No.Units: 1 SecWall: -

Interior Features

BedRooms: 0 Electric: MX - MAXIMUM PrmIntWall: DW - Drywall
 FullBath: 0 HeatType: FHA - FrcdHotAir AvgHt/F1: -
 1/2Bath: 0 HeatFuel: ELEC - Electric Prm.Flors: CU - Carpet
 %A/C: 100 %Heated: 100 %Sprinkled: 0

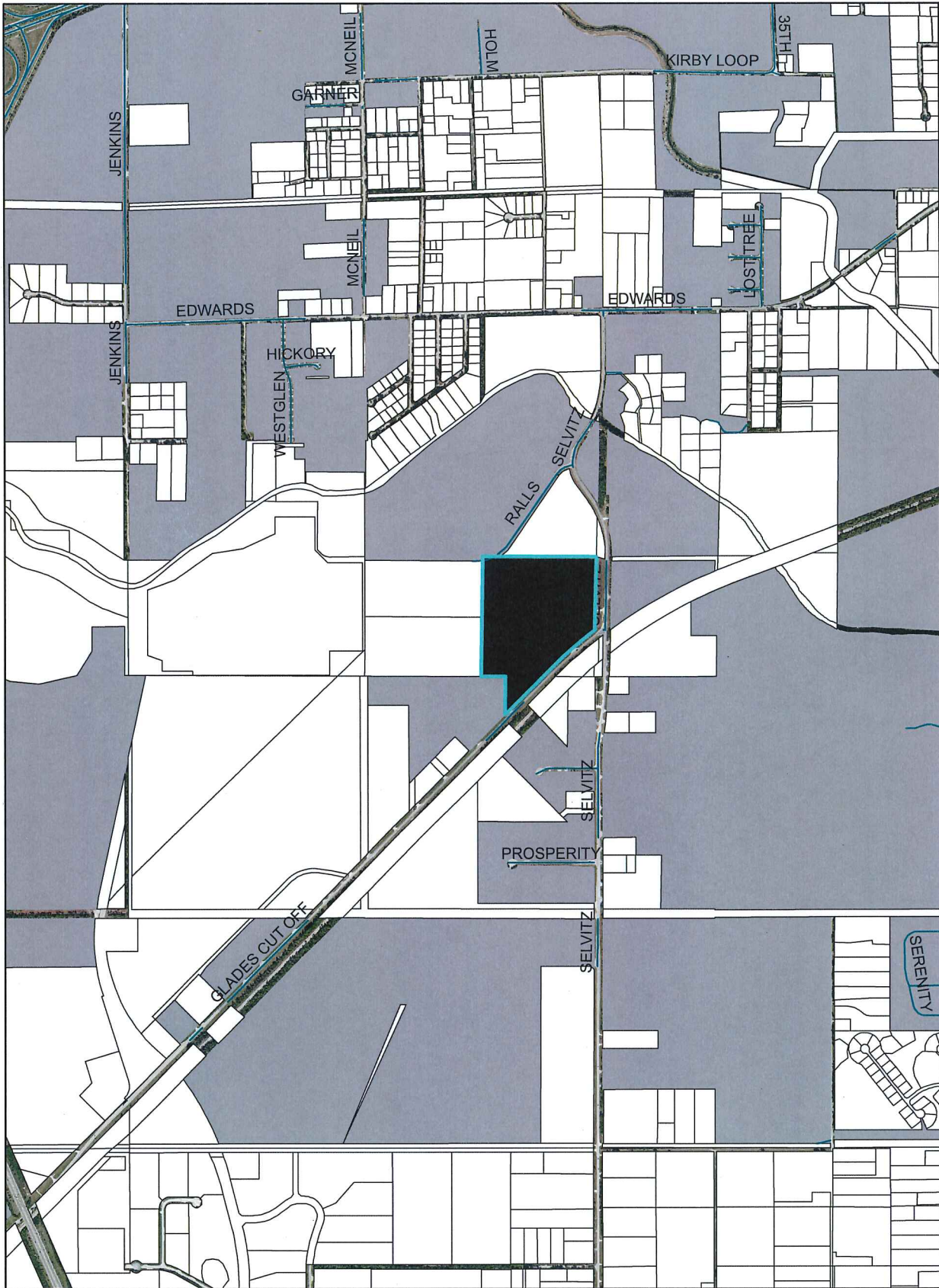
Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Type | Measure | Depth |
|---------------------|-----|------|-------|-------|-------|--------|-----|------------|------------|---------|-------|
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| ASP1 - ASP1 HIGH | Y | 1 | 17830 | AV | AV | 1977 | | | | | |
| LLDK - LOADING DOCK | Y | 1 | 3083 | AV | AV | 1975 | | | | | |
| FEN4 - CHAINLINK 4' | Y | 1 | 292 | AV | AV | 2011 | | | | | |




Land Information

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

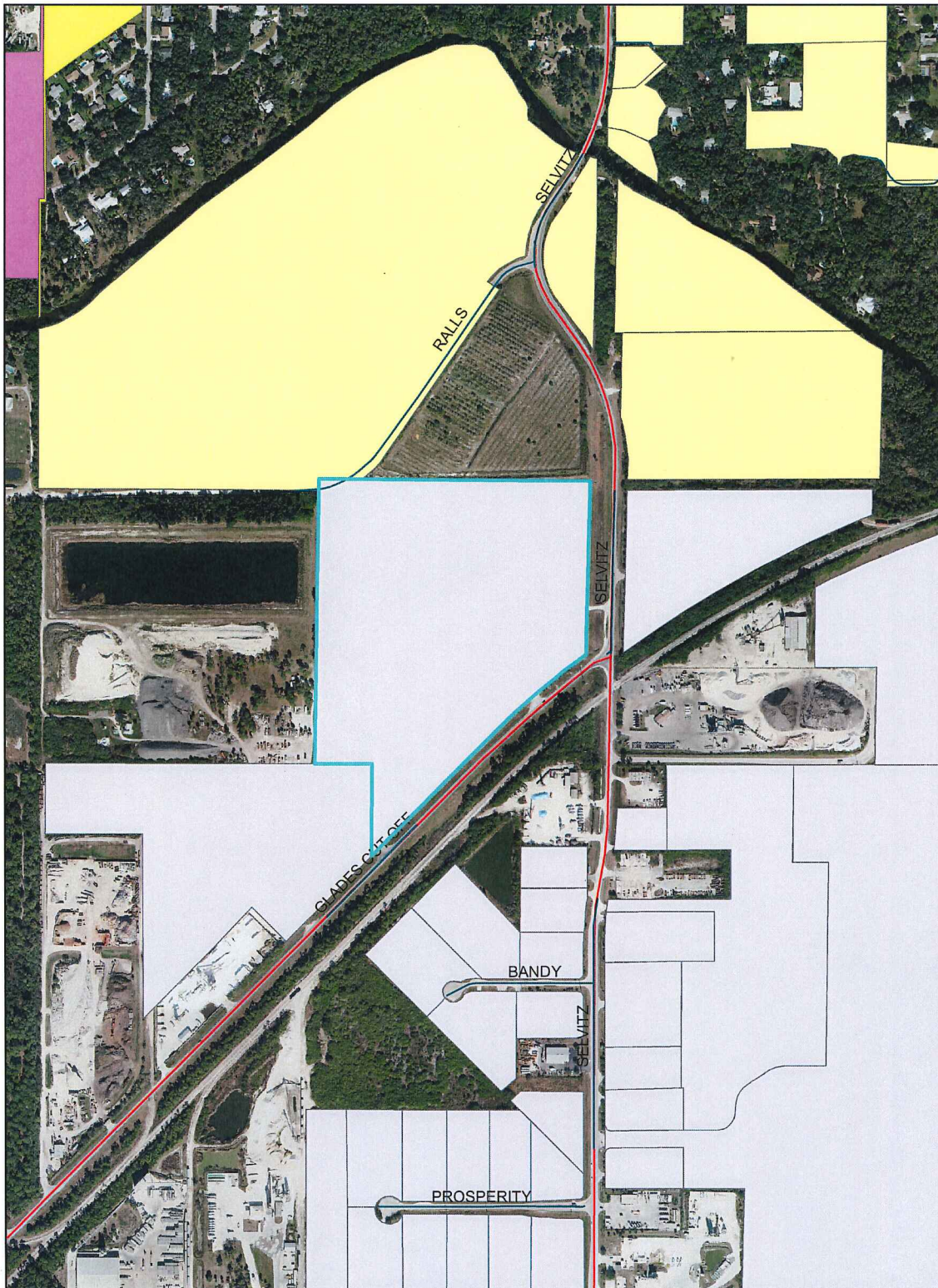
Location Map







Legend

-  County Limits
-  4100 Glades Cut-Off Rd.
-  Fort Pierce City Limits

Zoning Map



Legend

| | |
|---|-----|
|  | I1 |
|  | R1 |
|  | R2 |
|  | PUD |

* Doc Assump: \$ 0.00
* Doc Tax : \$ 0.70
* Int Tax : \$ 0.00

Parcel ID Number:
Grantee TIN:

Warranty Deed

This Indenture, made this 19th, day of July A.D. 2004 Between

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UP

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See attached Exhibit A

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Signed, sealed and delivered in our presence:

Tracy A Kay
Printed Name: Tracy A Kay
Witness

Pioneer Ag-Chem, Inc
BY: Wayne Carlton (Seal)
Wayne Carlton, President
Post Office Box 12489
Ft. Pierce, FL 34979

Barbara Conits
Printed Name: BARBARA CONITS
Witness

ATTEST: Steve Cassens
Steve Cassens, Secretary
Post Office Box 12489
Ft. Pierce, FL 34979

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County of **St. Lucie**

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as identification.

Tracy A Kay
Printed Name: Tracy A Kay
Notary Public
My Commission Expires:



Tracy A. Kay
Commission #DD24548
Expires: Sep 09, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

OFFICE OF CITY CLERK
CITY OF FT. PIERCE
189 N. G. 1
P.O. BOX 1490
FT. PIERCE, FL 34954

ORDINANCE NO. K-308

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PARCEL 2 - 30 35 40 THAT PART OF S 1/2 OF NE 1/4 LYG SLY OF CANAL 71 (TEN MILE CREEK) AND WLY OF SELVITZ RD AND N 1/2 OF SE 1/4 LYG WLY OF SELVITZ AND RALLS RDS AND SLY OF CANAL 71 (TEN MILE CREEK) AND N 50FT OF N 1/2 OF SW 1/4 OF SE 1/4 (72.62 AC) (OR 495-2541) (PROPERTY I.D. 2430-134-0014-000-0) - ADDRESS TO BE DETERMINED

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 2527722 12/30/2004 at 08:58 AM
OR BOOK 2125 PAGE 2193 - 2196 Doc Type: ORDIN
RECORDING: \$35.50

PARCEL 3 - 29 35 40 S 1/2 OF NW 1/4 OF SW 1/4-
LESS W 88 FT AND LESS THAT PART LYG WITHIN
54.08 FT ELY OF BASE LI OF SURVEY OF SELVITZ
RD (SURVEY RECORDED IN PB 13-2) (19.00
AC) (PROPERTY I.D. 2429-323-0001-000-2) - 3548
SELVITZ ROAD

PARCEL 4 - 29 35 40 THAT PART OF SW 1/4 OF SW
1/4 LYG N OF FEC CUT-OFF BRANCH MPDAF: BEG SW
COR OF SEC RUN N 1320 FT, TH E 1320 FT, TH S
1320 FT, TH W 1320 FT TO POB-LESS W 128 FT FOR
RD AND CANAL RS/W- (33) (12.34 AC) (OR 1641-
2079) (PROPERTY I.D. 2429-331-0002-000-4) -
3630 SELVITZ ROAD

PARCEL 5 - 0/31 35 40 THAT PART OF SE 1/4 OF
SE 1/4 OF SEC 30 AND THAT PART OF NE 1/4 OF NE
1/4 OF SEC 31 LYG N AND W OF GLADES CUT-OFF
RD-LESS W 272.18 FT AND LESS RD AND CANAL
RS/W- (37.46 AC) (OR 232-1272,1273) (PROPERTY
I.D. 2430-441-0005-000-7) - 4100 GLADES CUT-
OFF ROAD

PARCEL 6 - 31 35 40 BEG AT NE COR OF NW 1/4 OF
NE 1/4 TH ELY ALG N LI SD SEC31 272.18 FT, TH
SLY 410 FT M/L TO N LY R/W GLADES CUTOFF RD,
TH S44 DEG 34 MIN W ALG SD R/W 608.44 FT M/L,
TH N 45 DEG 26 MIN W 219.21 FT, TH S 44 DEG 34
MIN W727.15 FT, TH N 882.03 FT, TH W LY ALG S
LI OF N 1/2 OF N 1/2 OF NW 1/4 OF NE 1/4
457.88 FT M/L TO ELY R/W CANAL #99, TH N LY
ALG SD ELY CANAL R/W 330 FT M/L TO N LI SD SEC
31, TH ELY ALG SD N LI 1277.50 FT M/L TO POB
(23.57 AC) (OR 351-1336,1341:514-2288) (PROPERTY
I.D. 2431-121-0002-000-6) - 4510 GLADES CUT-
OFF ROAD

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Section 1 hereof as of January 1, 2005 and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That the City Clerk shall cause notice of this annexation to be published once each week for two consecutive weeks prior to final passage in The Tribune in Fort Pierce, Florida.

SECTION 4. That upon this ordinance becoming effective, the land hereinabove described and annexed to the territorial limits of

the City of Fort Pierce shall be and the same are zoned: Parcels 1-3 - R-1, Single Family Low Density Zone, and the Future Land Use Designation is RL, Low Density Residential Land Use; and Parcels 4-6 - I-1, Light Industrial Zone, and the Future Land Use Designation is I, Industrial Land Use, in accordance with the Zoning Ordinance of the City of Fort Pierce, Florida.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall be and become effective December 31, 2004.

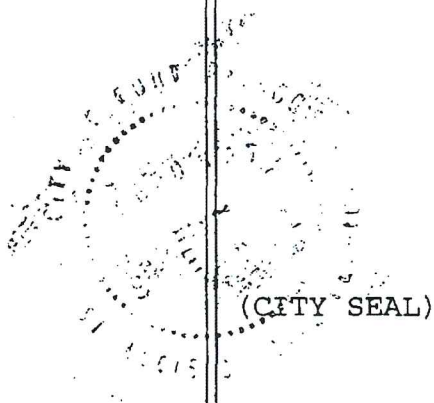
STATE OF FLORIDA) ss
ST. LUCIE COUNTY)

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. K-308 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in The Tribune in Fort Pierce, Florida, on November 8, 2004, and on November 15, 2004; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on December 6, 2004; and was duly introduced, read by title only, and passed on second and final reading on December 20, 2004, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 21th day of December 2004.


MAYOR COMMISSIONER


CITY CLERK



City Commission Regular Meeting

Agenda Item # 10. b.

Meeting Date: 04/07/2014

Re: Ordinances 14-010 - Amending the Future Land Use Designation of Properties Generally Located at 1210 S 25th Street from OP to NC

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

SUBJECT:

Ordinance No. 14-010 - Amending the Future Land Use Map for property located at 1210 S 25th Street from OP to NC. SECOND READING

SUMMARY:

- The applicant is requesting to amend the Future Land Use Map of the City's Comprehensive Plan, changing the designation of six (6) parcels of land totaling 1.68 acres from OP, Offices – Professional and Business Services to NC, Neighborhood Commercial.
- The application was filed concurrent to a request to amend the City's Zoning Atlas, to change the zoning designation of said parcels from C-1, Office Commercial to C-2, Neighborhood Commercial.
- The applicant has filed a Site Plan for the construction of an approximately 8,300 square foot discount retail (dollar) store at the site.
- The Planning Board, acting as the Local Planning Agency, voted unanimously to recommend approval at their January 14th, 2014 meeting.

RECOMMENDATION:

Approval of the requested Future Land Use Map Amendment

ALTERNATIVES:

Denial of the requested Future Land Use Map Amendment

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Officer

COORDINATED WITH:

None

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

14-010

Staff Report

Zoning & Future Land Use Maps

Application

Survey

Planning Board Minutes

ORDINANCE NO. 14-010

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **AMENDING THE FUTURE LAND USE MAP** OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF PROPERTY GENERALLY LOCATED AT **1210 SOUTH 25th STREET**, FROM OP, OFFICES – PROFESSIONAL AND BUSINESS SERVICES, TO NC, NEIGHBORHOOD COMMERCIAL; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Pierce has adopted a Comprehensive Plan known as the City of Fort Pierce Comprehensive Plan adopted by Ordinance No. L-136, as subsequently amended; and

WHEREAS, changing the future land use designation requires an amendment to the Comprehensive Plan, pursuant to Section 163.3184, Florida Statutes; and

WHEREAS, the Fort Pierce City Planning Board having been duly designated as the Local Planning Agency pursuant to section 163.3174 et seq., Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment to the Comprehensive Plan and submitted its recommendations thereon to the City Commission; and

WHEREAS, having considered the recommendations of the Planning Board, the City of Fort Pierce City Commission has prepared this amendment to the City's Comprehensive Plan and transmitted it to the Department of Economic Opportunity and other agencies as required by Section 163.3184; and

WHEREAS, two (2) public hearings with due notice have been held by the City Commission to inform the public and receive comments and objections; and

WHEREAS, the City of Fort Pierce desires to hereby formally adopt this amendment to the City's Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The preceding "whereas" clauses are ratified and incorporated as the legislative intent of this ordinance.

SECTION 2. The Comprehensive Plan of the City of Fort Pierce is hereby amended as follows:

From and after the effective date hereof, the following properties legally described as:

2416-602-0158-000-3: BILTMORE PARK BLK 51 LOT 1 AND LOT2-LESS S 15 FT AND LESS RD R/W- (OR 3506-137)

2416-602-0160-000-0: BILTMORE PARK S/D BLK 51 S 15 FTOF LOT 2 AND ALL LOT 3-LESS RD R/W- (OR 3506-137)

2416-602-0161-000-7: BILTMORE PARK BLK 51 LOTS 4, 5 AND 6-LESS W 14.7 FT- (OR 3506-137)

2416-602-0164-000-8: BILTMORE PARK BLK 51 LOTS 7 AND 8-LESS W 14.7 FT- (OR 3506-137)

2416-602-0166-000-2: BILTMORE PARK BLK 51 LOT 9-LESS W 14.7 FT- AND W 1/2 OF LOT 11 AND LOTS 22 AND 23-LESS NELY 150 FT- (OR 3506-137)

2416-602-0167-000-9: BILTMORE PARK BLK 51 LOT 10-LESSW 14.7 FT- (OR 3506-137)

shall be and the Future Land Use Designation is hereby changed from OP, Offices – Professional and Business Services, to NC, Neighborhood Commercial; said properties being generally located at 1210 South 25th Street in Fort Pierce, Florida.

SECTION 3. Severability. The Provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4. Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

SECTION 5. Effective Date. This Ordinance is and the same shall become effective immediately upon final passage hereof, or as otherwise provided for by law.

**APPROVED AS TO FORM
AND CORRECTNESS:**

Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)^{SS}

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-010 was duly advertised in by title only in the St. Lucie News Tribune on March 2, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on March 17, 2014; and was duly introduced, read by title only, and passed on second and final reading on April 7, 2014, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 7th day of April 2014.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: Robert J. Bradshaw, City Manager
THROUGH: Rebecca Grohall, AICP, Planning Manager
FROM: Kori Benton, Historic Preservation Officer
SUBJECT: Family Dollar Properties: Future Land Use Map Amendment
1210 South 25th Street
DATE: March 6, 2014

STAFF REPORT

Owner: First Southern Bank
Mr. Lee D. Wedekind, Jr., Senior Vice President
1177 SE Third Avenue
Fort Lauderdale, Florida 33316

Applicant: The Hutton Company
Mr. Chuck Borysiak
736 Cherry Street
Chattanooga, Tennessee 37402

Representative: Bowman Consulting
Mr. Daimian Leslie, P.E.
4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934

Requested Action: Approval of a Future Land Use Map Amendment from OP, Offices – Professional and Business Services to NC, Neighborhood Commercial

Location: Generally located at 1210 S 25th Street, the east side of South 25th Street, between Ormond Avenue and Mississippi Avenue

Parcel IDs: 2416-602-0158-000/3; 2416-602-0160-000/0; 2416-602-0161-000/7; 2416-602-0164-000/8; 2416-602-0166-000/2; 2416-602-0167-000/9

Current Future Land Use: OP, Offices – Professional and Business Services

Proposed Future Land Use: NC, Neighborhood Commercial

Surrounding Future Land Use:

| North | East | South | West |
|-------|------|-------|------|
| GC | RL | OP | GC |

Parcel(s) Size: 1.68 acres

Utilities: Located within the FPUA Retail Service Area
Staff Analysis:

The applicant is requesting the approval of a Future Land Use Map Amendment to change the future land use designation of the subject properties from OP, Offices – Professional and Business Services to NC, Neighborhood Commercial.

The applicant is pursuing the proposed amendment with intentions to construct an approximately 8,300 square foot discount retail store. The applicant has concurrently filed an application for a zoning atlas amendment (rezone), as well as an application for Site Plan review for said project. The representative for the project has indicated that the Site Plan has been placed on hold, temporarily. The impending Site Plan will be reviewed by the Planning Board prior to being routed to the City Commission for final review. The applicant held a neighborhood meeting, as recommended by Planning Staff, to discuss the proposed project with surrounding property owners. Planning Staff did not attend the meeting; however, the applicant has indicated that the neighbors were generally accepting of the proposed project. Additional details of the meeting may be asked of the applicant or representative, if necessary.

The subject site is located in a transitional zone between the General Commercial segment surrounding the intersection of Okeechobee Road and South 25th Street and the predominant Office Commercial area present along 25th Street surrounding Lawnwood Regional Medical Center. In furthering a tiered transition, the recommendation was made to the applicant to pursue a Neighborhood Commercial Future Land Use designation, as opposed to a General Commercial designation, to further this transitional area.

Table 1 exhibits pertinent guidelines for the existing and proposed Future Land Use Designations of the subject site.

Table 1: Existing and Proposed Site Data

| | <u>Existing</u> | <u>Proposed</u> |
|--|--|---|
| Future Land Use (FLU) | Offices – Professional and Business Services (OP) | Neighborhood Commercial (NC) |
| Land Use Objective | The Offices – Professional and Business Services designation provides for office and limited commercial developments or horizontal and vertical mixed-use developments. Commercial uses that do not directly sell, store, or display goods, and generate limited auto trips are allowed within this district. Permitted uses allowed within this designation include limited convenience commercial uses, restaurants, and hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. Multifamily residences also allowed. | The Neighborhood Commercial designation permits lower intensity commercial developments that are primarily intended to serve surrounding neighborhoods and residential areas. Uses allowed within this designation include limited retail and commercial services such as convenience/grocery stores, beauty salons, day care facilities; offices; and multifamily residential. |
| Residential Density (maximum dwelling units per gross acre) | 10-18 dwelling units/acre | 10 dwelling units/acre |
| Land Use Breakdown | Residential uses may comprise up to 20% of the total floor area of the Offices – Professional and Business Services future land use designation. | Residential uses may comprise up to 20% of the total floor area of the Neighborhood Commercial future land use designation. |
| Maximum Non-Residential Floor Area Ratio (FAR) | 1.0 | 0.5 |

The maximum permitted floor area ratio (FAR) for the subject properties will be reduced from 1.0 to 0.5 under the proposed amendments, as demonstrated in Table 1. Additionally, the maximum residential density permitted will be reduced. The expanded land uses desired by the applicant, permitted in the NC, Neighborhood Commercial Zone, are limited retail and commercial services such as convenience/grocery stores.

Comprehensive Plan

The City Commission shall consider the proposed amendment in regards to the established Goals, Objectives and Policies of the City's Comprehensive Plan, more specifically the potential impacts to transportation and infrastructure.

Future Land Use Element Goals, Objectives, & Policies

Goal 1:

The City of Fort Pierce shall regulate land uses to maintain and protect its traditional Florida small-town character by embracing its rich heritage, diverse cultural and community assets, and natural resources.

1.1 Objective:

The City shall adopt and implement the Future Land Use Map to designate future land uses that regulate uses, densities and intensities that enhance its neighborhoods and districts, stimulate tourism and the local economy, and are compatible with its small-town character.

1.1.17 Policy:

Reduce vehicle miles traveled (VMT) and greenhouse gas emissions (GHG) by requiring developments to maximize internal trip capture, provide pedestrian connectivity to surrounding properties, and reduce the number of auto-oriented trips through Transportation Demand Management (TDM).

1.3 Objective:

As development and redevelopment occur within the City, the City shall encourage the elimination or reduction of existing land uses inconsistent with the City's character and future land use.

1.3.1 Policy:

The City shall evaluate land use amendment applications and development proposals for compatibility with the Comprehensive Plan, the City's character, future land use designation, and the adjacent properties.

Analysis: The appropriate expansion of neighborhood commercial land use along or adjacent to Principal Arterial or Minor Arterial roadways furthers the development and redevelopment of neighborhoods and districts, providing the stimulation of the local economy. The review of subsequent development application pursuant to our established land development regulations and design review guidelines seek to ensure compatibility our small-town character. Furthermore, the increased access to neighborhood commercial goods and services advances established goals, policies, and objectives by reducing vehicle miles traveled (VMT) and greenhouse gas emissions (GHG) by improving proximity to desired goods and services.

Transportation Element Goals, Objectives, & Policies

Goal 2:

The City shall provide a safe, convenient, effective, and energy efficient multimodal transportation system which is coordinated with the Future Land Use and provides mobility of people and goods.

2.2 Objective:

Maintain the adopted LOS standards for all City roadways. The City shall coordinate with St. Lucie County and the Florida Department of Transportation (FDOT) to maintain the adopted LOS standards on County and State roadways within the City.

2.2.7 Policy:

Proposed land use changes shall evaluate the net difference in traffic impacts between the current land use and the proposed land use. Any change in land use which exceeds the LOS standard for a roadway shall also be accompanied by a strategy to address the impact. The strategy may consist of a capacity or operational improvement or implementation of a mobility strategy. The LOS evaluation shall be completed using professionally accepted transportation engineering methodology including generalized roadway and detailed roadway analysis as needed.

2.3 Objective:

The City shall integrate the Future Land Use Map with the City's existing, programmed, and planned transportation system to maintain the adopted roadway LOS standards and support multimodal transportation to service the existing and projected population.

2.3.2 Policy:

Proposed Future Land Use Map amendments shall be supported by the Transportation Element. An evaluation of the net change in impacts to the roadways shall be determined. The proposed amendment shall maintain the adopted LOS standard. If the LOS standards are not maintained, the amendment shall be accompanied by strategies including capacity and operational improvements, and mobility strategies to achieve the adopted LOS standard.

2.3.3 Policy:

The City shall integrate transportation and land use to support multimodal transportation through site design and development standards that address building placement and orientation, pedestrian access, bicycle parking, and transit-oriented development principles.

Analysis: The proposed land use change has been evaluated for the net difference in traffic impacts. The change in land use does not surpass the LOS standard for the 25th Street corridor. Although the proposed change in land use presents a higher potential for additional trips necessary for the delivery of retail goods, these trips are allocated to a Principal Arterial, and offer the reduction of vehicular traffic on other roadways by reducing vehicle miles traveled (VMT) to other retail sources. Furthermore, the City's established design and development standards will address building placement and orientation, pedestrian access, bicycle parking, and transit-oriented development principles with any proposed potential development within the subject site.

Technical Review Committee (TRC) Recommendation:

All affected departments have reviewed and approved the application based upon the conclusion that no significant increase in traffic or other impacts to public facilities are expected to be generated by the proposed amendment.

Planning Board Recommendation:

The Planning Board, at their January 14th, 2014 Local Planning Agency hearing, voted unanimously to recommend approval of the request.

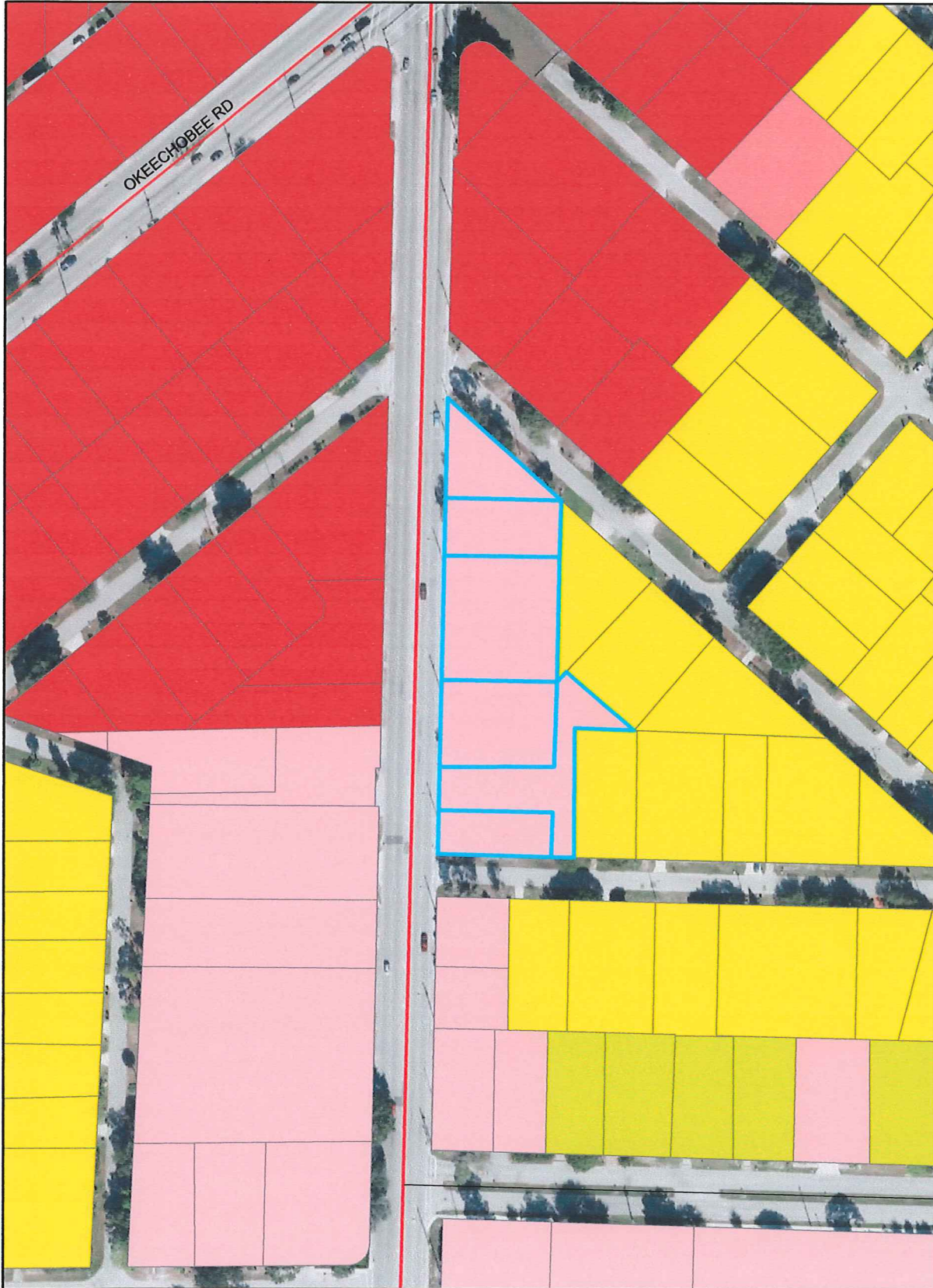
Property Owner Response Summary:

A total of 95 notifications of the proposed Future Land Use Map Amendment were mailed to property owners located within 500 feet of the subject property. As of March 6, 2014, zero (0) responses have been received. An update of responses will be provided at the City Commission Meeting.

Staff Recommendation:

The proposed amendment furthers the Goals, Objectives, and Policies of the City's Comprehensive Plan and presents no adverse impacts on the health, safety, and welfare of the community; therefore Staff recommends that the City Commission **approve** the proposed amendment.

Zoning Map




















Legend

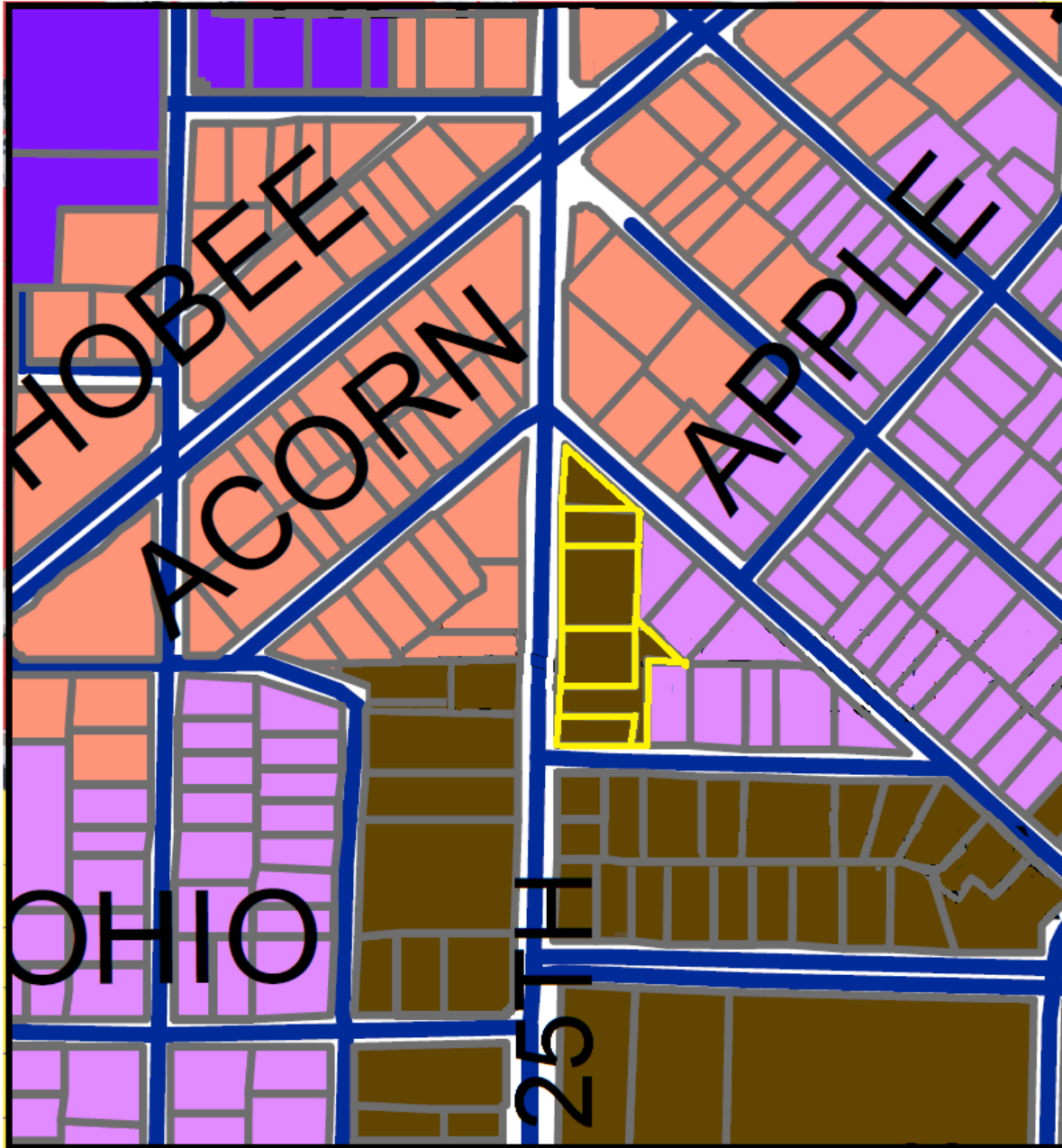
- CCCL
- AG1
- AG2.5
- AR-1
- C1
- C2
- C3
- C4
- C5
- C6
- CP1
- E1
- E2
- E3
- I1
- I2
- I3
- OS1
- OS2
- PUD
- PUR
- R1
- R2
- R3
- R4
- R4A
- R5

Future Land Use Map



Legend

-  RH
-  RM
-  RL
-  RS
-  HIMU
-  HIR
-  OP
-  BC
-  MXD
-  NC
-  GC
-  CBD
-  MC
-  COS
-  BI
-  I
-  HI
-  CI
-  INST





CITY OF FORT PIERCE

PLANNING DEPARTMENT

DAVID CARLIN, MPA, PLANNING MANAGER
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

Application for Future Land Use Map Amendment

Future Land Use Map Amendment – Large Scale (>10 acres)

Future Land Use Map Amendment – Small Scale (<10 acres)

In accordance with Chapter 163.3187, Florida Statutes, The City of Fort Pierce will consider applications for land use changes on parcels in excess of 10 acres (“Large Scale Amendments”) only twice each calendar year. The City Commission will consider applications for land use changes on parcels less than or equal to 10 acres with a maximum density of 10 units per acres or less at any time during the calendar year. You are encouraged to schedule a pre-application meeting with the planning staff and to submit your application up to three months in advance of the application deadline.

Application submission shall include the following:

- **TRC (*Initial Submission):** One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board:** One (1) original and (13) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **City Commission:** One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- Warranty Deed & Legal Description
- St. Lucie County Property Record Card
- Statement of why there is a need for the proposed future land use map amendment and how the amendment will result in an orderly and logical development pattern; statements how amendment(s) are consistent with Comprehensive Plan; how future land use designation is compatible with future land use designations and existing land uses surrounding the amended lands; identify future land use designations and existing land uses within a ½ mile of the subject property that have the same or greater type of proposed future land use designation; data and analysis to support conclusions.
- Current Survey
- Environmental Study
- Traffic Impact Report
- *** Capacity Analysis-Separate Form
- Drainage Analysis
- Historical Report
- 1 CD of all documents submitted in PDF
- Other _____

1. Property Address/Location: East side of S 25th St. between Ormond Ave and Mississippi Ave
2416-602-0158-000-3, 2416-602-0160-000-0, 2416-602-0161-000-7, 2416-602-0164-000-8, 2416-
2. Property Tax ID(s): 602-0166-000-2, 2416-602-0167-000-9
3. Total Acreage: 1.68 acres
4. Existing Future Land Use Designation: OP (Office Professional)
5. Existing Zoning Classification: C-1 (Office Commercial)
6. Proposed Zoning Classification: C-2 (Neighborhood Commercial)
7. Other applications being submitted concurrent with this application, if any: _____
Zoning Atlas Amendment
8. Describe the existing uses, improvements and structures on the amendment lands: _____
The existing site is vacant
9. Are there any identified or possible historical structures on the amendment lands? No
10. The reason for making this request: The proposed construction consists of a General Retail store which is not an
approved use in the existing zoning

11. Capacity Analysis:

I. Site Data:

| | Existing Use | Future Land Use | Zoning |
|--------------|----------------|-----------------|--------|
| North | U-Haul Store | GC | C-3 |
| South | Residential | OP | R-3 |
| East | Residential | INST | R-3 |
| West | Medical Center | OP | C-1 |

| | Future Land Use | Zoning Classification | Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage | Total Acreage | Flood Zone |
|-----------------|----------------------------|-----------------------------|--|---------------|------------|
| Current | OP Office Professional | C-1 Office Commercial | 73,200 sqft x 1.0 (FAR) = 73,200 sqft | 1.68 ac | X |
| Proposed | NC Neighborhood Commercial | C-2 Neighborhood Commercial | 73,200 sqft x 0.5 (FAR) = 36,600 sqft | 1.68 ac | N/A |

II. Public Facilities Information:

| | |
|--------------------------|--|
| A. Potable Water: | |
| Average Use | Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) Other: 0.125 gallons per day per square foot |
| Demand Analysis | Maximum |
| Current Zoning | 9150 Total gallons per day (0.125 gpd/sf X 73200 sf) |
| Proposed Zoning | 4547 Total gallons per day (0.125 gpd/sf X 36600 sf) |
| Change in Demand | 4547 Total gallons per day |

| | |
|-------------------------|--|
| B. Wastewater: | |
| Average Use | Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) Other: 0.1 gallons per day per square foot |
| Demand Analysis | Maximum |
| Current Zoning | 7320 Total gallons per day (0.10 gpd/sf X 73200 sf) |
| Proposed Zoning | 3660 Total gallons per day (0.10 gpd/sf X 36600 sf) |
| Change in Demand | 3660 Total gallons per day |

| C. Parks and Recreation (Residential Classifications Only): (Du x 2.6 = persons + 44,227 = population /LOS) | | | | |
|---|-----------------------------|---------------------------------|---------------------------------|------------------|
| Park Type | LOS | Existing Population Park Demand | Proposed Population Park Demand | Change in Demand |
| Regional | 20 acres per 1,000 people | | | |
| Urban District | 5 acres per 1,000 people | | | |
| Community | 2.5 acres per 1,000 people | | | |
| Neighborhood | 1.36 acres per 1,000 people | | | |

| D. Public Schools (Residential Classifications Only): Single Family: (du x 0.405 = students/70% K-8/30% High) Multi-family: (du x 0.207 = students/70% K-8/30% High) | | |
|---|-----|------|
| | K-8 | High |
| School Name | | |
| City | | |
| Distance | | |
| Current Zoning Enrollment Demand | | |
| Proposed Zoning Enrollment Demand | | |
| Change in Demand | | |

| | |
|--|---------|
| E. Solid Waste: 2 yard serves 15 units, 4 yard serves 30 units, 6 yard serves 45 units, 8 yard serves 60 units | |
| Demand Analysis | Maximum |
| Current Zoning | |
| Proposed Zoning | |
| Change in Demand | |

| | |
|--|--|
| F. Stormwater: Potential increase in volume discharged due to increased impervious coverage, reduced groundwater seepage or loss of surface water storage impacting Adopted LOS of 25-year 3-day storm Pre vs. Post Runoff (Storm sewers to convey 5 year- 1 day storm event; Canals to convey 3 year – 1 day storm event) | |
| Impact | No impact proposed, the site will have a stormwater management system that will limit the discharge to less than or equal to the pre-development conditions. |

| | | |
|--|-------------|------------------------------|
| G. Transportation Analysis: Most recent ITE Code for use; HCM Roadway Capacity | | |
| | AADT | AM/PM Peak Hour Trips |
| Demand Analysis | Maximum | Maximum |
| Current Zoning | | |
| Proposed Zoning | | |
| Change in Demand | 442 Trips | Trips 27 AM / 47 PM |
| Impact to Capacity | | |

12. Name of Owner(s): First Southern Bank
 Mailing Address: 1177 SE Third Ave
 City Fort Lauderdale State FL Zip 33316
 Phone # _____
 E-mail: _____

13. Name of Applicant: The Hutton Company - Chuck Borysiak
 Mailing Address: 736 Cherry Street
 City Chattanooga State TN Zip 37402
 Phone # 423-643-9202 Fax # 423-664-7100
 E-mail: cborysiak@thehuttoncompany.com

14. Name of Representative: Creech Engineers, Inc - Daimian Leslie
 Mailing Address: 4450 W Eau Gallie Blvd. Suite 232
 City Melbourne State FL Zip 32934
 Phone # 321-255-5434 Fax # 321-255-7751
 E-mail: dleslie@creechinc.com

15. Applicant Acknowledgements (Owner’s signature must be notarized)

I certify that: (Check One)

_____ I (we) do hereby certify that I (we) own in fee simple the above referenced described property for which a change in Zoning Classification is requested.

_____ I (we) are not the owner of the above described property; however, the owners signature below authorizes the applicants the authority to act as agent for the owner(s) of record.

[Signature] 11/27/13
 Applicant's Signature Date
4450 W EAU GALIE BLVD, SUITE 232, MELBOURNE FL 32934
 Address State Zip
321-270-8986 321-255-7751 dleslie@creechinc.com
 Phone Fax E-mail Address

16. Property Owners Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application for a change in zoning classification. The property owner's signature(s) below shall also authorize the Applicant (if other than the property owner) and/or Agent to act in his/her behalf for the purposes of seeking this change to the City' Land Development Regulations for the property described herein.

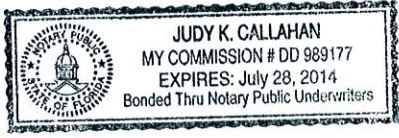
FIRST SOUTHERN BANK 904/296-7566
 Property Owner's Name (Please Print) Phone
212 PONTE VEDRA PARK ROAD FL 32082
 Address (OR ADDRESS IN 12, ABOVE) State Zip
[Signature] SVP / OREO MANAGER 11/6/13
 Property Owner's Signature Date

STATE OF FLORIDA)
 ST LUCIE COUNTY)
 JOHN S

The foregoing instrument was acknowledged before me this 6 day of NOVEMBER, 20 13, by LEE DWAYKINS, JR who is personally known to me or has produced _____ as identification.

[Signature]
 Signature of Notary

(seal)



| | | |
|----------------------|------------------------------|------------------------|
| OFFICE USE: | | |
| DATE RECEIVED: _____ | Signed: _____ | |
| File Number: _____ | Check No: _____ | Receipt No: _____ |
| TRC Review: _____ | Planning Board Review: _____ | City Commission: _____ |
| Ordinance No: _____ | Date Approved: _____ | |

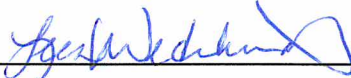
Letter of Authorization

September 20, 2013

RE: Agent Authorization

On behalf of First Southern Bank, the owner of the referenced real property, hereby authorizes and empowers **The Hutton Company, Inc.** and **Creech Engineers, (A Bowman Company)**, to act as its agent(s) to apply for any and all site and building approvals and permits in connection with the development of the property, including but not limited to the South Florida Water Management District, Florida Department of Transportation, Florida Department of Environmental Protection, The City of Fort Pierce, Fort Pierce Utility Authority and to file such applications, papers, documents, variances and special exceptions, requests, and other matters as may be necessary to secure the same.

FIRST SOUTHERN BANK

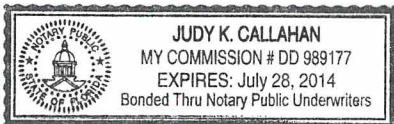
By: 

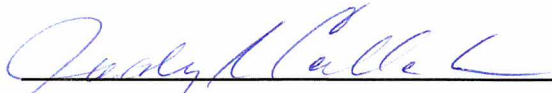
Print: LEE D WEDERIND JR

Title: SVP / OPER MANAGER

STATE OF FLORIDA
COUNTY OF ST JOHN'S

Sworn to and subscribed before me this 20 day of SEPTEMBER, 2013. He/She is personally known to me or who has produced _____ as identification.





Notary Public State of _____

My Commission Expires _____

[Notary Seal]

Legal Description

Parcel 1:

Lots 1, 2 And 3, Less The West 15 Feet Thereof, Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.

Less And Excepting Street Right Of Ways Therefrom.

Parcel 2: 4, 5, 6, 7, 8, 9, 10, Less The West 15 Feet Thereof, The West One-Half Of Lot 11, All In Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.

And

Lots 22 And 23, Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.

Less The Northeasterly 150 Feet Thereof And Being Described As That Portion Of Lots 22 And 23 Lying North Nad East Of A Line Drawn Parallel To The Northeast Line Of Said Lots And 150 Feet Southwest Of Said Northeast Line.



EXHIBIT "A"

Lots 4, 5, 6, 7, 8, 9 and 10, Less the West 14.7 feet thereof; the West one-half (1/2) of Lot 11; and Lots 22 and 23, Less the Northeasterly 150 feet thereof, all in Block 51, Biltmore Park, according to the map or plat thereof, recorded in Plat Book 4, Page 52, of the public records of St. Lucie County, Florida.



St. Lucie County File Date: 04/09/2013

COPY

FIRST SOUTHERN BANK, a Florida
banking corporation,
Plaintiff,

vs.

TOCO TOUCAN, LLC; et al
Defendants.

IN THE CIRCUIT COURT OF THE 19TH
JUDICIAL CIRCUIT, IN AND FOR ST.
LUCIE COUNTY, FLORIDA.

CASE NO. 562012CA 000881

COPY

CERTIFICATE OF TITLE

The undersigned clerk of the court certifies that he or she executed and filed a Certificate of Sale in this action on MARCH 20, 2013, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in St. Lucie County, Florida:

PARCEL 1:

LOTS 1, 2 AND 3, LESS THE WEST 15 FEET THEREOF, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. LESS AND EXCEPTING STREET RIGHT OF WAYS THEREFROM.

PARCEL 2:

LOTS 4, 5, 6, 7, 8, 9, 10, LESS THE WEST 15 FEET THEREOF, THE WEST ONE-HALF (1/2) OF LOT 11, ALL IN BLOCK 51 BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

AND

LOTS 22 AND 23, BLOCK 51 BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

St. Lucie County File Date: 04/09/2013

LESS THE NORTHEASTERLY 150 FEET THEREOF AND BEING DESCRIBED AS THAT PORTION OF LOTS 22 AND 23 LYING NORTH AND EAST OF A LINE DRAWN PARALLEL TO THE NORTHEAST LINE OF SAID LOTS AND 150 FEET SOUTHWEST OF SAID NORTHEAST LINE.

PARCEL 3:

THE NORTH HALF OF LOTS 1 AND 2, LESS ROAD RIGHT OF WAY CONVEYED IN OFFICIAL RECORDS BOOK 189, PAGE 2790, OF BLOCK 72, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

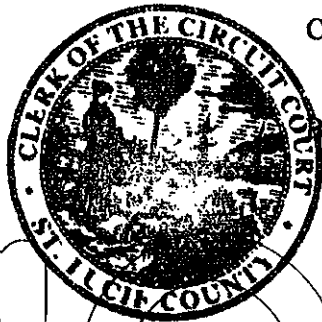
AND

THE SOUTH HALF OF LOTS 1 AND 2, LESS ROAD RIGHT OF WAY CONVEYED IN OFFICIAL RECORDS BOOK 189, PAGE 2792, OF BLOCK 72, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

was sold to First Southern Bank

WITNESS my hand and seal of the Court on April 8th, 2013.

Clerk of Circuit Court



by: Jamaine Ellis
Deputy Clerk

COPY

#100.00/.70

Ken Pruitt
Property Appraiser

170 items

13059 - Family Dollar

Property Appraiser - St. Lucie County, FL - Mozilla Firefox

www.pasc.org/pasc/prc.asp?prclid=241660201580003

PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 <<Prev Next>> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 1202 S 25th St ParcelID: 2416-602-0158-000-3
 Sec/Town/Range: 16 :35S :40E Account #: 25987
 Map ID: 24/16N Use Type: Vac Res
 Zoning: C1 City/Cnty: Fort Pierce

Ownership and Mailing Legal Description

Owner: First Southern Bank BILTMORE PARK BLK 51 LOT 1 AND LOT2-LESS S 15 FT AND LESS RD RW: (OR 3506-137)
 Address: % 1177 SE Third Ave Fort Lauderdale FL 33316

Sales Information

| Date | Price | Code | Deed | Book/Page | Assessment 2012 | Total Land and Building |
|-----------|---------|------|------|-------------|-------------------|-------------------------------|
| 4/8/2013 | 100 | 0312 | CT | 3506 / 0137 | 2012 Final: 54700 | Land Value: 54700 Acres: 0.25 |
| 9/12/2005 | 1200000 | 02 | WD | 2364 / 2485 | Assessed: 54700 | Building Value: 0 |
| 4/16/2004 | 125000 | 02 | WD | 1951 / 2964 | Ag.Credit: 0 | Finished Area: 0 SqFt |
| 9/9/1992 | 100 | 02 | QC | 0836 / 2321 | Exempt: | |
| 11/1/1983 | 0 | 01 | CV | 0417 / 1828 | Taxable: | |
| 5/1/1977 | 0 | 01 | CV | 0267 / 2902 | Taxes: 1348.16 | |
| 1/1/1976 | 19500 | 00 | CV | 0248 / 0158 | | |

BUILDING INFORMATION

No Sketch Available

Exterior Features

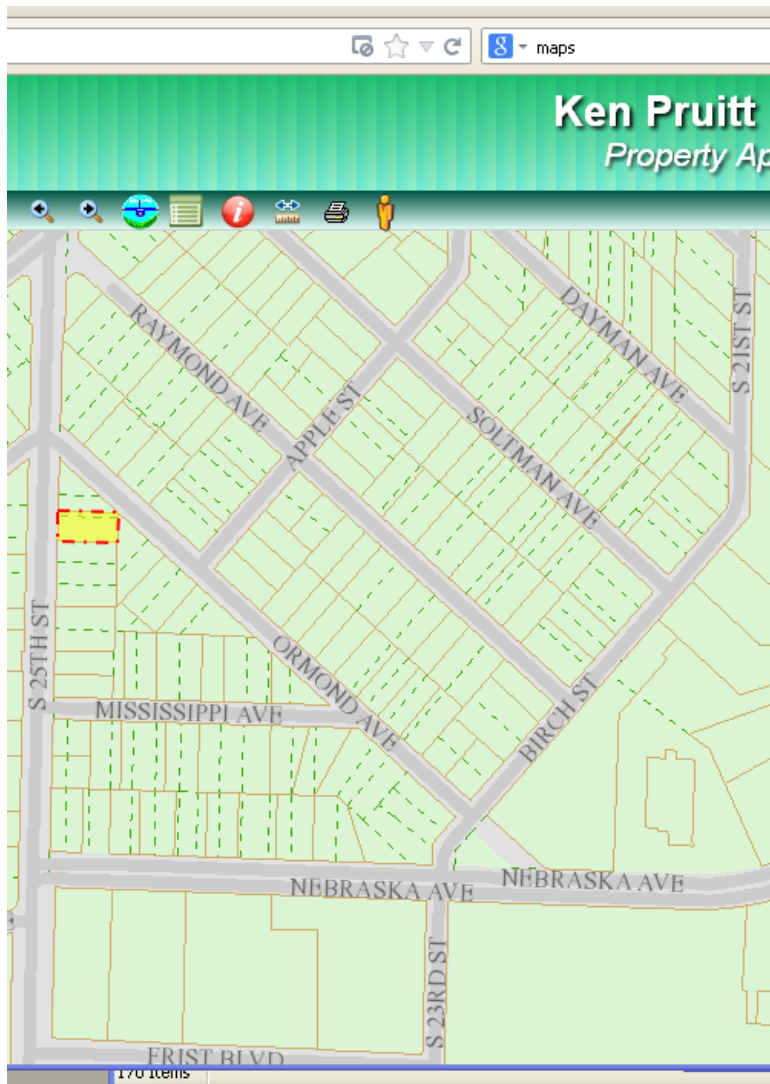
| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StonyHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHtFt: | - |
| 1/2Bath: | - | HeatFuel: | - | Pm.Floors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items Land Information

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt | No. | Use Type | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|-------|-----|----------|------|---------|-------|
|------|-----|------|-------|-------|-------|-------|-----|----------|------|---------|-------|



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 1206 S 25th St ParcelID: 2416-602-0160-000-0
 Sec/Town/Range: 16 :35S :40E Account #: 25988
 Map ID: 24/16N Use Type: Vac Res
 Zoning: C1 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: First Southern Bank
 Address: % 1177 SE Third Ave
 Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK S/D BLK 51 S 15 FTDF LOT 2 AND ALL LOT 3-LESS RD RAW- (DR 3506-137)

Sales Information

| Date | Price | Code | Deed | Book/Page | Assessment 2012 | Total Land and Building |
|-----------|---------|------|------|-------------|-------------------|------------------------------|
| 4/8/2013 | 100 | 0312 | CT | 3506 / 0137 | 2012 Final: 67300 | Land Value: 43900 Acres: 0.2 |
| 9/12/2005 | 1200000 | 02 | WD | 2364 / 2485 | Assessed: 67300 | Building Value: 23400 |
| 4/16/2004 | 1250000 | 02 | WD | 1951 / 2964 | Ag.Credit: 0 | Finished Area: 0 SqFt |
| 9/9/1992 | 100 | 02 | QC | 0836 / 2321 | Exempt: | |
| 11/1/1983 | 0 | 01 | CV | 0417 / 1828 | Taxable: | |
| 5/1/1977 | 0 | 01 | CV | 0267 / 2902 | Taxes: 1658.71 | |
| 12/1/1975 | 15300 | 00 | CV | 0247 / 0608 | | |

BUILDING INFORMATION

No Sketch Available

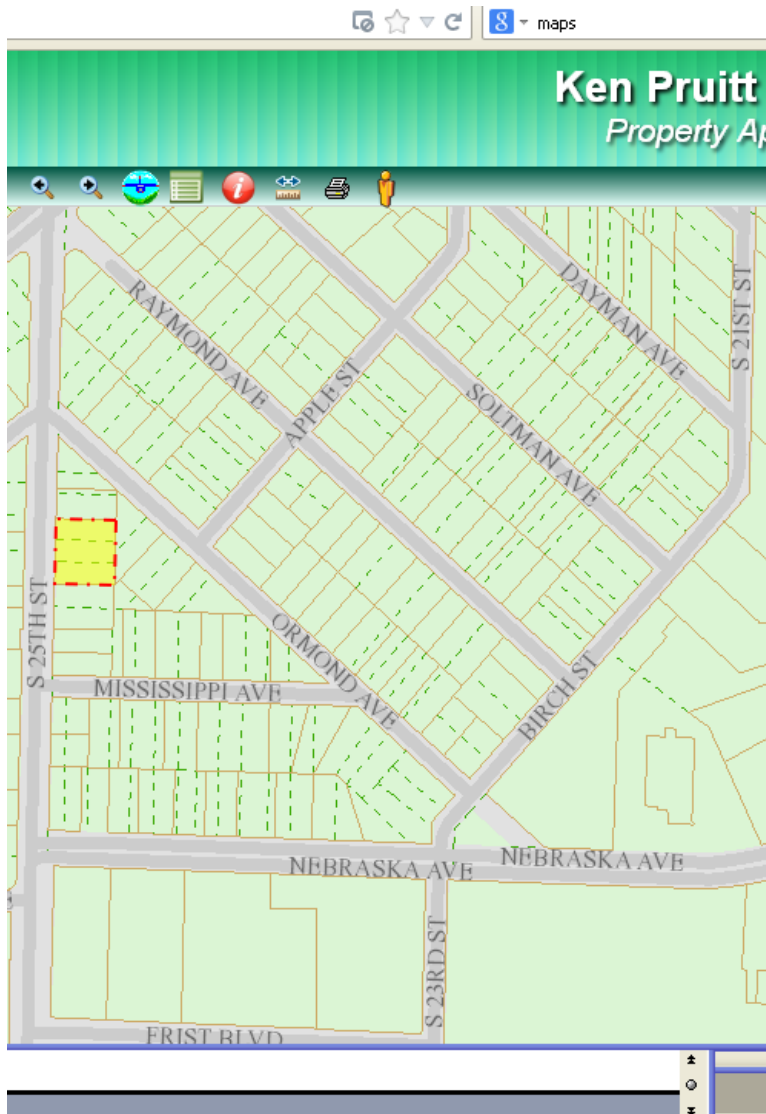


Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Floors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 <<Prev Next >> Spec Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 1210 S 25th St ParcelID: 2416-602-0161-000-7
 Sec/Town/Range: 16 :35S :40E Account#: 25989
 Map ID: 24/16N Use Type: Vac Comm
 Zoning: C1 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: First Southern Bank
 Address: % 1177 SE Third Ave
 Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOTS 4, 5 AND 6-LESS W 14.7 FT. (OR 3506-137)

Sales Information

| Date | Price | Code | Deed | Book/Page | Assessment 2012 | Total Land and Building |
|------------|---------|------|------|-------------|--------------------|--------------------------------|
| 4/8/2013 | 100 | 0312 | CT | 3506 / 0137 | 2012 Final: 101500 | Land Value: 101500 Acres: 0.47 |
| 9/12/2005 | 1200000 | 02 | WD | 2364 / 2485 | Assessed: 101500 | Building Value: 0 |
| 4/22/2004 | 255000 | 02 | WD | 1967 / 0490 | Ag.Credit: 0 | Finished Area: 0 Sqft |
| 7/2/2002 | 210000 | 02 | WD | 1550 / 2989 | Exempt: | |
| 10/22/1994 | 100 | 02 | QC | 0934 / 2792 | Taxable: | |
| 6/24/1994 | 162400 | 02 | WD | 0908 / 0435 | Taxes: 2501.61 | |
| 5/1/1985 | 89000 | 00 | CV | 0463 / 2890 | | |

BUILDING INFORMATION

No Sketch Available



Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

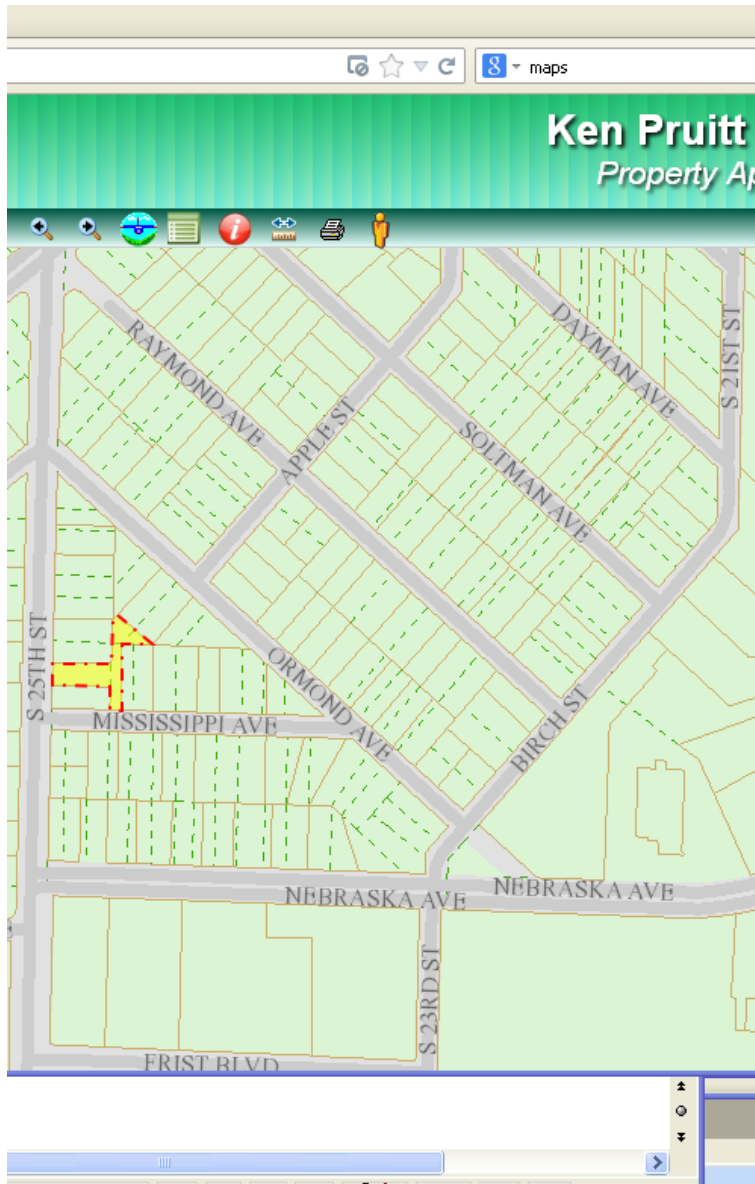
Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHtFI: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Floors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

Land Information

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|--------|-----|----------|------|---------|-------|
|------|-----|------|-------|-------|-------|--------|-----|----------|------|---------|-------|



Ken Pruitt Property Appraiser

PROPERTY RECORD CARD

[First Southern Bank](#) Record: 1 of 1
 <<Prev Next>>
 [Spec.Assmnt](#)
 [Taxes](#)
 [Exemptions](#)
 [Permits](#)
 [Home](#)
 [Print](#)

Property Identification

| | | | |
|-----------------|--------------|------------|---------------------|
| Site Address: | 25th St | ParcelID: | 2416-602-0166-000-2 |
| Sec/Town/Range: | 16 :35S :40E | Account#: | 25991 |
| Map ID: | 24/16N | Use Type: | Vac Comm |
| Zoning: | C1 | City/Cnty: | Fort Pierce |



Ownership and Mailing **Legal Description**

| | | |
|-----------------|---|--|
| Owner: | First Southern Bank | BILTMORE PARK BLK 51 LOT 9-LESS W 14.7 FT- AND W 1/2 OF LOT 11 AND LOTS 22 AND 23-LESS NELY 150 FT- |
| Address: | % 1177 SE Third Ave Fort Lauderdale FL 33316 | More... |

Sales Information **Assessment 2012** **Total Land and Building**

| Date | Price | Code | Deed | Book/Page | 2012 Final: | 64100 | Land Value: | 64100 | Acres: | 0.29 |
|------------|---------|------|------|-------------|-------------------|---------|------------------------|-------|--------|------|
| 4/8/2013 | 100 | 0312 | CT | 3506 / 0137 | Assessed: | 64100 | Building Value: | 0 | | |
| 9/12/2005 | 1200000 | 02 | WD | 2364 / 2485 | Ag.Credit: | 0 | Finished Area: | 0 | SqFt | |
| 4/22/2004 | 255000 | 02 | WD | 1967 / 0490 | Exempt: | | | | | |
| 7/2/2002 | 210000 | 02 | WD | 1550 / 2989 | Taxable: | | | | | |
| 12/22/1994 | 100 | 02 | QC | 0934 / 2792 | Taxes: | 1579.84 | | | | |
| 6/24/1994 | 162400 | 02 | WD | 0908 / 0435 | | | | | | |
| 5/1/1985 | 125000 | 02 | CV | 0463 / 2889 | | | | | | |

BUILDING INFORMATION

No Sketch Available



Exterior Features

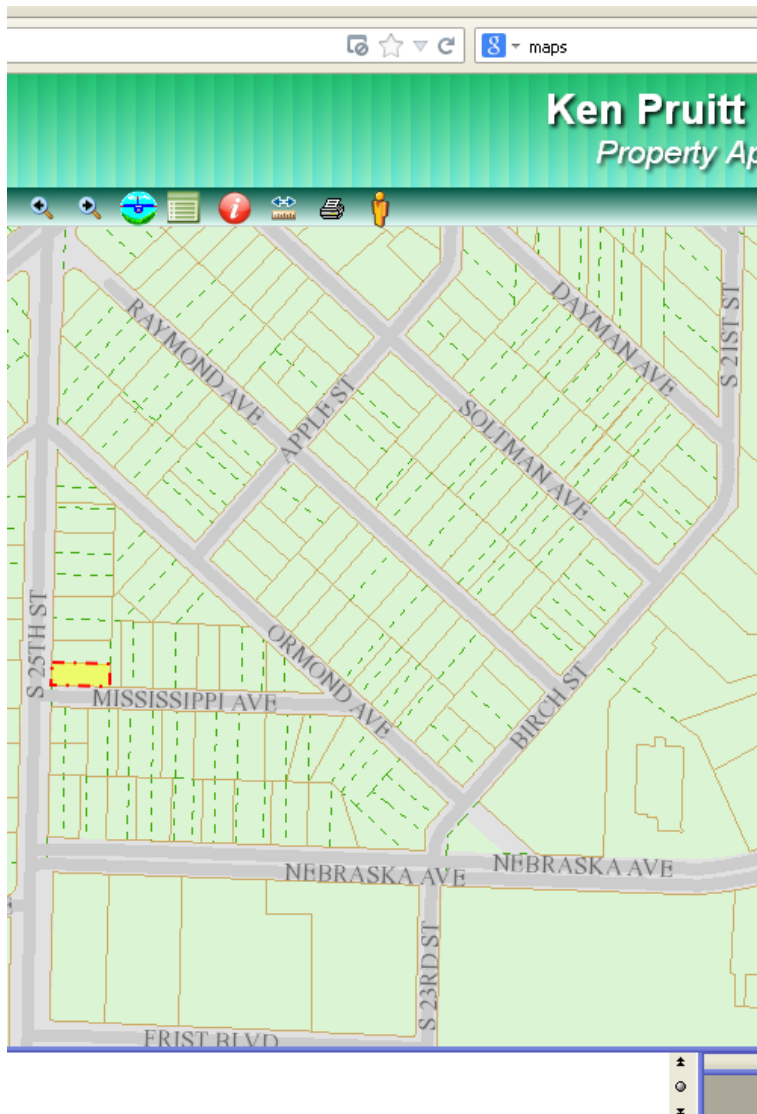
| | | | | | |
|-------------------|---|-------------------|---|--------------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|------------------|---|------------------|---|--------------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Flors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items **Land Information**

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|--------|-----|----------|------|---------|-------|
| | | | | | | | | | | | |



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: S 25th St ParcelID: 2416-802-0167-000-9
 Sec/Town/Range: 16 :35S :40E Account #: 25992
 Map ID: 24/16N Use Type: Vac Comm
 Zoning: C1 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: First Southern Bank
 Address: % 1177 SE Third Ave
 Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOT 10-LESSW 14.7 FT. (OR 3506-137)

Sales Information

| Date | Price | Code | Deed | Book/Page | Assessment 2012 | Total Land and Building |
|------------|---------|------|------|-------------|-------------------|-------------------------------|
| 4/8/2013 | 100 | 0312 | CT | 3506 / 0137 | 2012 Final: 33800 | Land Value: 33800 Acres: 0.16 |
| 9/12/2005 | 1200000 | 02 | WD | 2364 / 2485 | Assessed: 33800 | Building Value: 0 |
| 4/22/2004 | 255000 | 02 | WD | 1967 / 0490 | Ag.Credit: 0 | Finished Area: 0 SqFt |
| 7/2/2002 | 210000 | 02 | WD | 1550 / 2989 | Exempt: | |
| 12/22/1994 | 100 | 02 | QC | 0934 / 2792 | Taxable: | |
| 6/24/1994 | 162400 | 02 | WD | 0908 / 0435 | Taxes: 833.06 | |
| 5/1/1985 | 125000 | 02 | CV | 0463 / 2889 | | |

BUILDING INFORMATION

No Sketch Available



Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Floors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

| Type | Y/S | Qty | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Time | Measure | Depth |
|------|-----|-----|-------|-------|-------|--------|-----|----------|------|---------|-------|
|------|-----|-----|-------|-------|-------|--------|-----|----------|------|---------|-------|

Land Information



4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934

Ph: (321) 255-5434 Fax: (321) 255-7751

November 27, 2013

Sent Via: Overnight Mail

Application for Zoning Atlas Map Amendment
JUSTIFICATION STATEMENT
CEC 13135.00

To Whom It May Concern,

The intent of this application is to rezone a parcel of land to make it eligible for development as a neighborhood retail store of approximately 8320 sq ft. The proposed store will supply the sale of convenience goods to meet some of the primary commercial needs of the residential neighborhood. The property is a part of a commercial corridor with varying degrees of intensities and lies within an existing C-1 (Office Commercial) zoning district. This zoning category, however, does not allow for the desired retail usage (pursuant to Sec. 22-29 [a]). In order to facilitate this development it will be necessary to amend the current zoning atlas. The proposed zoning category is C-2 (Neighborhood Commercial) classification, which is the least intensive zoning that will support the use.

Amending the zoning atlas from a C-1 to a C-2 description will be in keeping with an orderly and logical development pattern. The subject property lies along S 25th Street which currently facilitates a number of existing commercial uses (C-1 and C-3) within a half mile radius. The property is adjacent to a number of C-1 zoned developments as well as being directly adjacent to a moderate density residential (R-3) community. The proposed C-2 classification is a logical zoning for the transition between commercial and residential zoning districts.

A Future Land Use Map Amendment is also being requested concurrently to support the requested Zoning Atlas Map Amendment. The existing future land use designation for the site is Office Professional (OP) which prohibits commercial uses from directly selling, storing, or displaying goods. In order to utilize the C-2 zoning classification the future land use designation would have to be changed to the Neighborhood Commercial (NC) description to support the uses under that zoning. As previously stated the change in zoning follows a logical pattern in the development of the area and likewise the amended future land use designation of NC, being adjacent to both commercial and residential developments, will continue with the same development pattern. Additionally, the NC designation will be consistent with the comprehensive plan as it is in keeping with both the order of development and the surrounding future land uses. Future land use designations within a half mile radius include RL (Low Residential), GC (General Commercial), and OP (Office Professional). The NC category will be an appropriate transition between the neighboring designations and will also provide compatibility with the existing surrounding land use designations.

It is with reference to the above statements, that these requests are being respectfully submitted to amend the Zoning Atlas Map and the Future Land Use Map for the subject property development.



4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934

Ph: (321) 255-5434 Fax: (321) 255-7751

If you need any additional information or would like to discuss this project in further detail, please contact us by phone at (321) 270-8986 or email me at dleslie@creechinc.com.

Sincerely,

Daimian Leslie, PE
Project Manager



4450 W. Eau Gallie Blvd., Suite 232
Melbourne, FL 32934
Tel : 321-255-5434
Direct: 321-270-8986



ENVIRONMENTAL ASSESSMENT

On the

**±1.66 Acre Family Dollar – Ft. Pierce Project Site
Section 16, Township 35 South, Range 40 East
Ft. Pierce, St. Lucie County, Florida**

Conducted for

**Mr. Chuck Borysiak
Hutton Construction, Inc.
736 Cherry Street
Chattanooga, Tennessee 37402**

Conducted by

**Atlantic Environmental Solutions, Inc.
1301 W. Eau Gallie Boulevard, Suite 98
Melbourne, Florida 32935**

September 6, 2013



1301 W. Eau Gallie Blvd., Ste. 98  Melbourne, FL 32935

ph 321.676.1505 fx 321.676.1730
www.environmentalpermitting.com

September 6, 2013

Mr. Chuck Borysiak
Hutton Construction, Inc.
736 Cherry Street
Chattanooga, Tennessee 37402

Re: Environmental Assessment
±1.66 acre Family Dollar – Ft. Pierce Project Site
South 25th Street, Ft. Pierce
St. Lucie County, Florida
AES File No. 1399

Dear Mr. Borysiak:

Atlantic Environmental Solutions, Inc. (AES) has completed an environmental assessment and feasibility study of the above-referenced property, an approximately 1.66 acre parcel of land located on the east side of South 25th Street between Ormond Avenue and Mississippi Avenue, Ft. Pierce, in St. Lucie County, Florida (Figures 1 and 2). The field assessment of this parcel, hereinafter referred to as "the Property", occurred on September 5, 2013. This study is intended to assess any reasonably ascertainable environmental issues that might have an affect on the developability of the subject property. Following are the results of our study.

Topography and Soils

Figure 3 shows the USGS Topographical Map for the Property and surrounding areas. According to this map, the Property is relatively flat and used to contain several single-family homes which are no longer present.

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) maps for Brevard County (Figure 4) depict two soil types underlying the Property. Following is a description of the mapped soil types as they occur in a natural environment.

Tantile and Pomona sands (44)

Tantile and Pomona sands is a poorly drained, nearly level soil typically found in flatwoods. the water table is within a depth of 10 inches for 2 to 4 months and between depths of 10 to 40 inches for 6 months or more during most years.

Waveland – Urban land complex (52)

Nearly level Waveland soils make up 50 to 70 percent of the complex, and Urban land makes up 15 to 50 percent. In undrained areas, the soils in this complex have a water

table within a depth of 10 inches for 1 to 4 months of most years. However, drainage systems have been established in most areas and depth to the water table depends upon the efficiency of the drainage system.

Past development and human activity surrounding and within the Property appears to have altered some of the characteristics possessed by the underlying soils. However, for the most part, the soils underlying the Property appear consistent with the above descriptions.

Vegetation and Community Types

Different combinations of natural and human-influenced factors, such as surface elevation, hydrology, vegetative species and structure, soil characteristics, and degree and type of historical disturbance, will give rise to a variety of distinct ecological systems and functions, known as communities and land uses. The Florida Land Use, Cover, and Forms Classification System (FLUCFCS) organizes most of the major categories of communities and land uses into particular descriptions, each corresponding to a different code number. Using our field observations and the FLUCFCS system as a guideline, AES has identified the on-site community as it currently exists on the Property. Figure 5 depicts the code number of the on-site FLUCFCS category, specifically, Undeveloped Land Within Urban Areas (FLUCFCS Code Number 191).

Following is a description of this classification, as it exists on the Property, along with an assessment of the jurisdictional wetland status based on the rules and regulations of the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers (ACOE).

Undeveloped Land Within Urban Areas (191)

The entire site can be designated this land use classification. It appears single-family homes used to be present within the project site which is evident from historical photography as well as the presence of concrete pieces scattered around the site. The entire property appears to have been maintained (i.e. mowed) for many years and vegetation is dominated by a groundcover of bahiagrass, Mexican clover, and opportunistic weedy species. Also present around the perimeter of the Property are scattered live oak, laurel oak, and sea grape.

This community type consists of upland habitat and will require no wetland permitting.

Habitat Potential for Protected Wildlife Species

A preliminary survey for listed species and suitable listed species habitats was completed on the Property. This survey resulted in the determination that the Property does not support any listed species.

Summary & Conclusions

The results of our survey indicate that the ±1.66 acre Property is comprised solely of uplands and does not contain any state or federally listed species. No wetland or wildlife permitting will be necessary in the development of this site.

Should you have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,

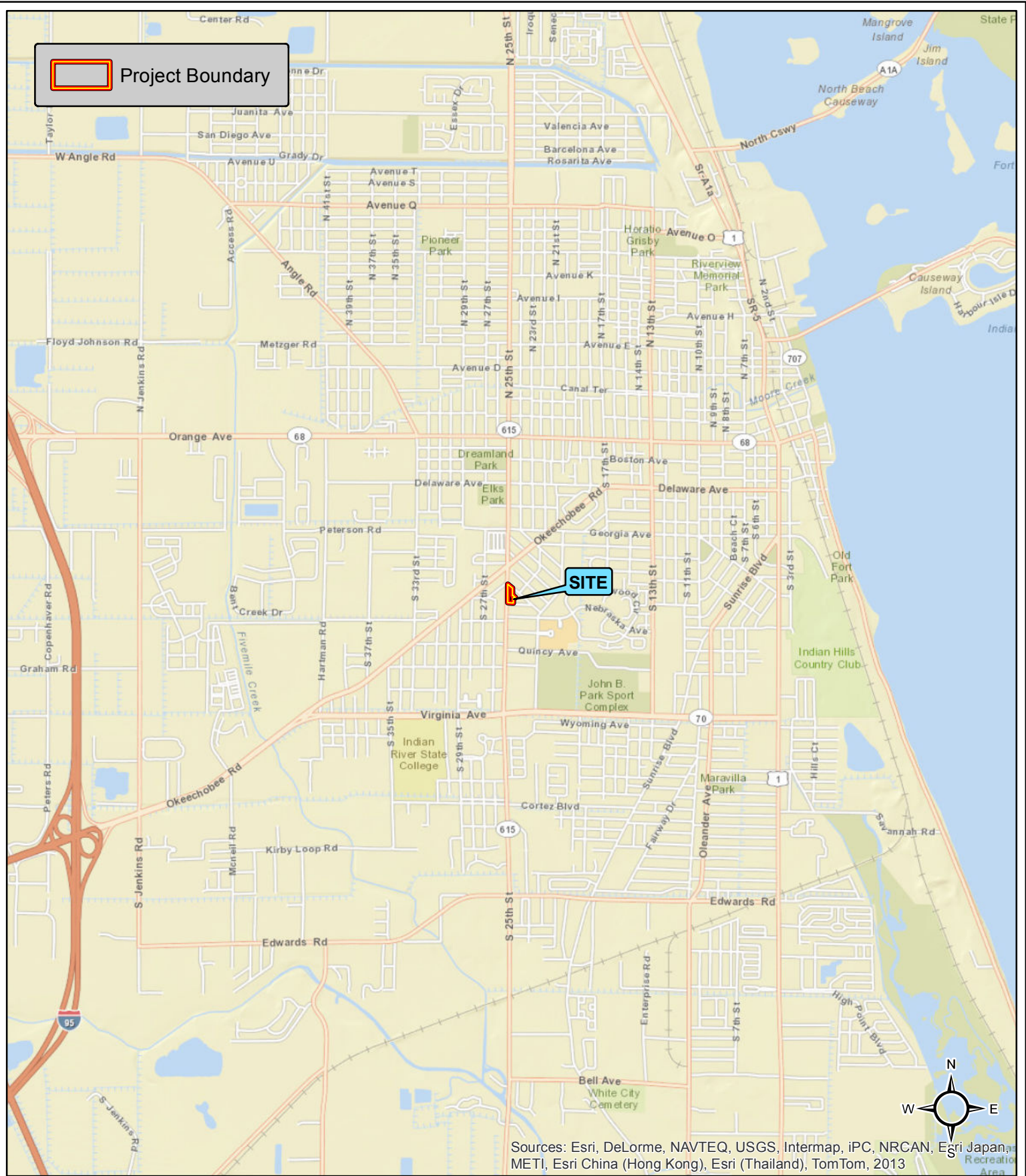


David G. Purkerson, MS, PWS
Senior Ecologist



Jon H. Shepherd, MS, PWS
President/Ecologist

Dist: Mr. Damian Leslie – Creech Engineers, Inc.



Project: Family Dollar - Ft. Pierce

Figure 1: Location Map



St. Lucie County, Florida

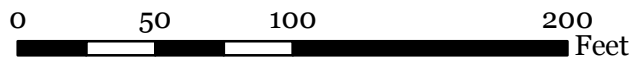


AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

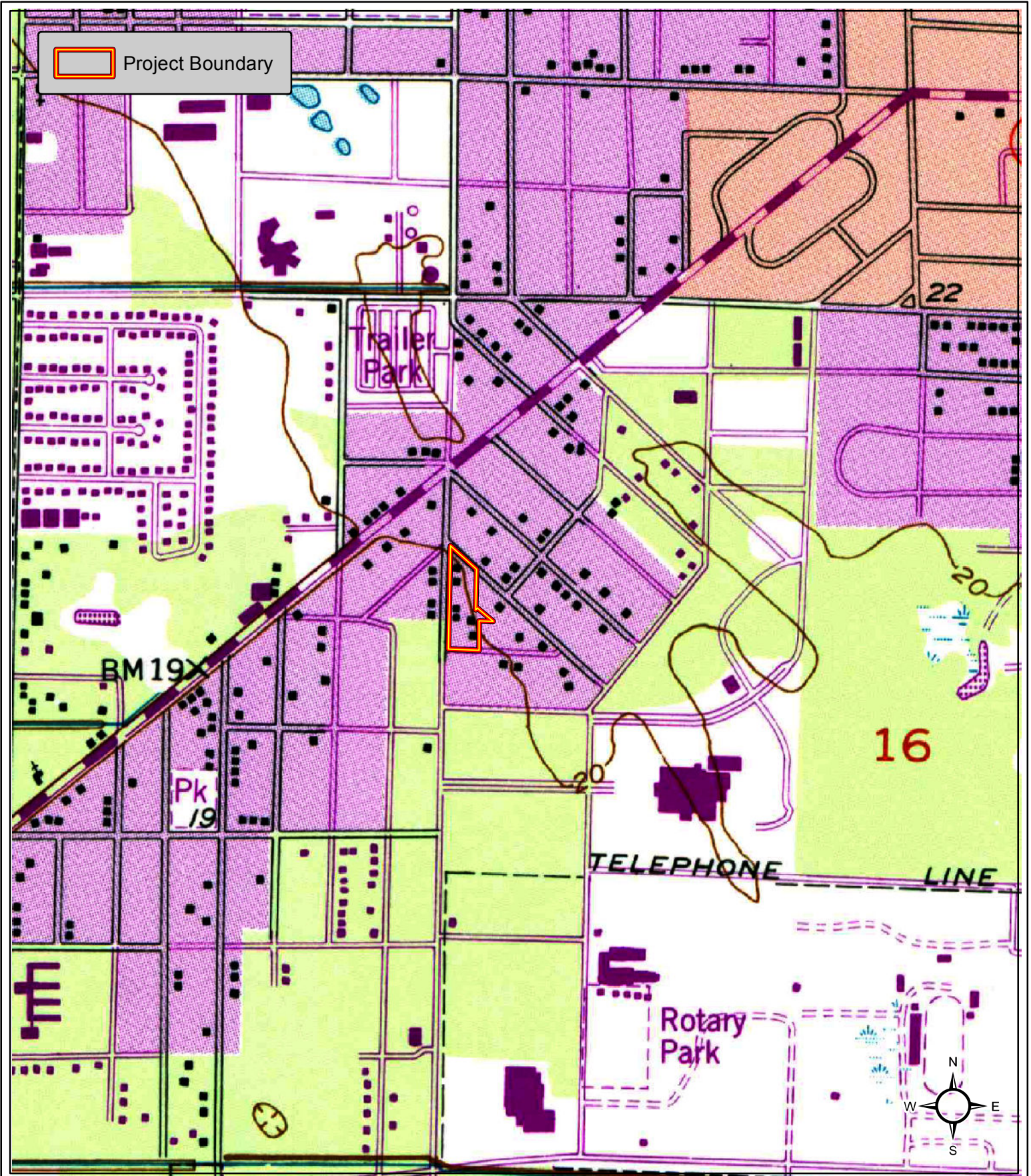
Figure 2: Property Map



2011 Aerial, St. Lucie County, Florida



AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

Figure 3: USGS Topo Map

0 500 1,000 2,000 Feet

Ft. Pierce Quadrangle, St. Lucie County, Florida



AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

Figure 4: NRCS Soils Map

0 50 100 200 Feet

2011 Aerial, St. Lucie County, Florida



AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

Figure 5: Land Use (FLUCFCS) Map

0 50 100 200 Feet

2011 Aerial, St. Lucie County, Florida



AES Proj #: 1399



McMAHON ASSOCIATES, INC.
5500 Village Blvd | Suite 103 | West Palm Beach, FL 33407
p 561-840-8650 | f 561-840-8590
www.mcmtrans.com

August 30, 2013

VIA E-MAIL

Mr. Chuck Borysiak, Development Manager
The Hutton Company
736 Cherry Street
Chattanooga, TN 37402

**RE: Family Dollar Fort Pierce Traffic Analysis
McMahon Project No. N13565.01**

Dear Mr. Borysiak:

McMahon Associates, Inc. (McMahon) has completed a traffic analysis for a parcel of land located at 1210 S. 25th Street, in Fort Pierce. The site is currently vacant. The proposed development, with an anticipated buildout year of 2014, will include an 8,320 square-foot Family Dollar.

Trip Generation Analysis

Using trip generation information obtained from the Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 9th Edition, trip generation estimates were developed for the proposed development. A pass-by rate was not available from ITE for Land Use 814 Variety Store. Therefore, the pass-by capture rate for the proposed land use was based on the pass-by rate for Land Use 815 Free Standing Discount Store. The trip generation analysis, summarized in **Table 1**, indicates that the proposed development is anticipated to result in 442 new daily trips, 27 new AM peak hour trips and 47 new PM peak hour trips. Excerpts from ITE are attached in **Appendix A**.

Site Access

Access to the site is proposed via one (1) full access driveway connection to each of the following roadways: S. 25th Street, Mississippi Avenue and Ormond Avenue.

Project Distribution and Assignment

The project trip distribution for the proposed development, graphically depicted on **Figure 1**, was based on a review of the surrounding roadway network volumes and land uses. Driveway volumes, shown on Figure 1, were assigned to the driveway connections based on the trip generation and trip distribution analyses.

PRINCIPALS
Joseph W. McMahon, P.E.
Joseph J. DeSantis, P.E., PTOE
John S. DePalma
William T. Steffens
Casey A. Moore, P.E.
Gary R. McNaughton, P.E., PTOE

ASSOCIATES
John J. Mitchell, P.E.
Christopher J. Williams, P.E.
R. Trent Ebersole, P.E.
Matthew M. Kozsuch, P.E.

TABLE 1
TRIP GENERATION ANALYSIS
FAMILY DOLLAR FORT PIERCE TRAFFIC ANALYSIS

DAILY

| LAND USE | ITE CODE | INTENSITY | TRIP GENERATION RATE ⁽¹⁾ | IN | OUT | TOTAL TRIPS | | | PASS-BY ⁽²⁾ | | NEW TRIPS | | | |
|------------------------------|----------|-----------|-------------------------------------|-----|-----|-------------|-----|-------|------------------------|--------|-----------|-----|-------|--|
| | | | | | | IN | OUT | TOTAL | | | IN | OUT | TOTAL | |
| PROPOSED USE | | | | | | | | | | | | | | |
| Variety Store ⁽³⁾ | 814 | 8,320 SF | T = 64.03 (X) | 50% | 50% | 267 | 266 | 533 | 91 | 17.00% | 221 | 221 | 442 | |

AM PEAK HOUR

| LAND USE | ITE CODE | INTENSITY | TRIP GENERATION RATE ⁽¹⁾ | IN | OUT | TOTAL TRIPS | | | PASS-BY ⁽²⁾ | | NEW TRIPS | | | |
|------------------------------|----------|-----------|-------------------------------------|-----|-----|-------------|-----|-------|------------------------|--------|-----------|-----|-------|--|
| | | | | | | IN | OUT | TOTAL | | | IN | OUT | TOTAL | |
| PROPOSED USE | | | | | | | | | | | | | | |
| Variety Store ⁽³⁾ | 814 | 8,320 SF | T = 3.81 (X) | 50% | 50% | 16 | 16 | 32 | 5 | 17.00% | 14 | 13 | 27 | |

PM PEAK HOUR

| LAND USE | ITE CODE | INTENSITY | TRIP GENERATION RATE ⁽¹⁾ | IN | OUT | TOTAL TRIPS | | | PASS-BY ⁽²⁾ | | NEW TRIPS | | | |
|------------------------------|----------|-----------|-------------------------------------|-----|-----|-------------|-----|-------|------------------------|--------|-----------|-----|-------|--|
| | | | | | | IN | OUT | TOTAL | | | IN | OUT | TOTAL | |
| PROPOSED USE | | | | | | | | | | | | | | |
| Variety Store ⁽³⁾ | 814 | 8,320 SF | T = 6.82 (X) | 50% | 50% | 29 | 28 | 57 | 10 | 17.00% | 24 | 23 | 47 | |

(1) Source: Institute of Transportation Engineers, Trip Generation Manual, 9th Edition.

(2) Pass-by rate for LU 814 based on Pass-by rate for LU 815 since no information is provided for LU 814.

(3) IN/OUT split for AM and PM peak hours based on daily IN/OUT split since no information is provided for the peak hours.



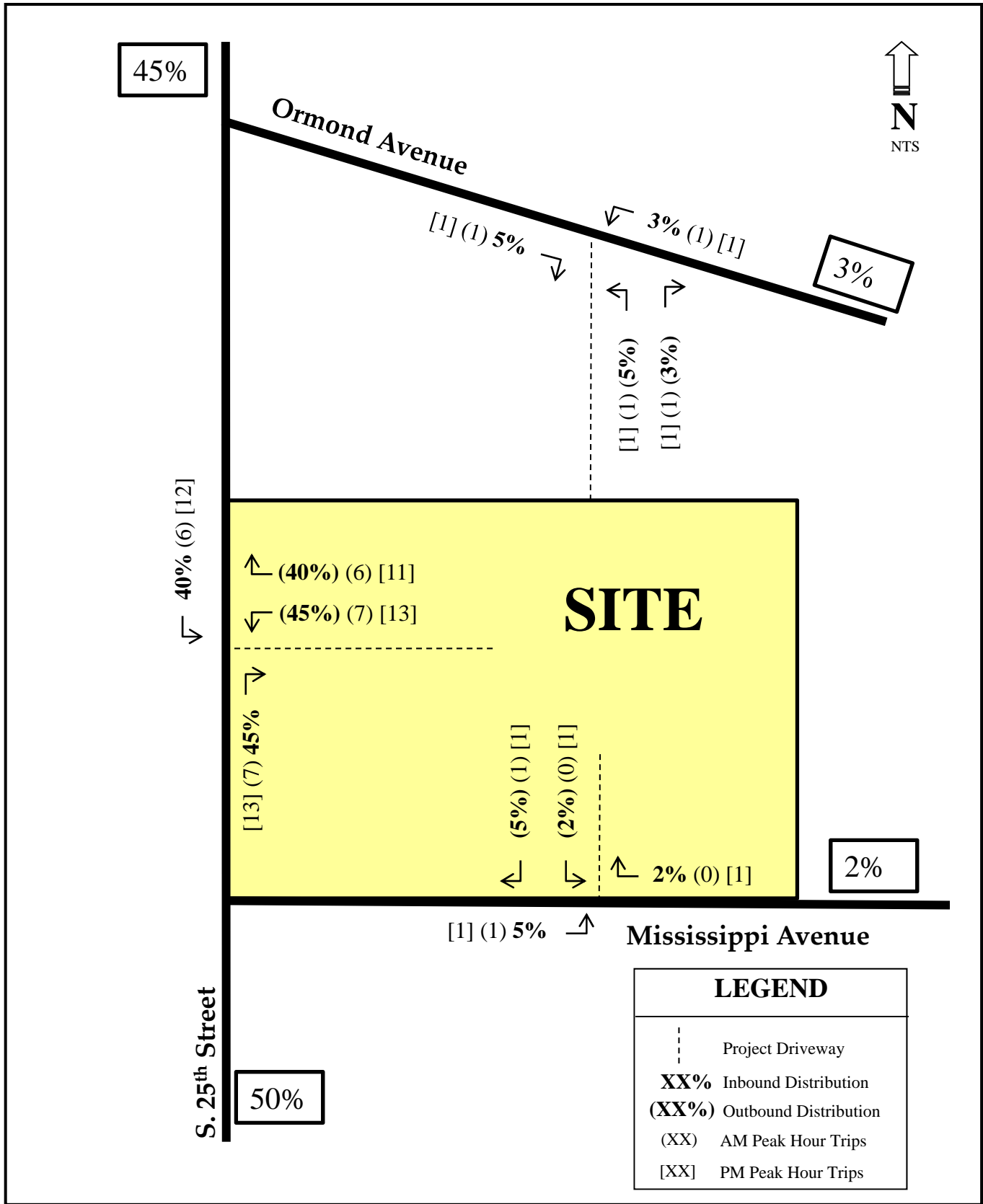


Figure 1
 Project Distribution and Driveway Traffic Volumes
Family Dollar Fort Pierce Traffic Analysis
 Fort Pierce, Florida

Mr. Chuck Borysiak

August 30, 2013

Page 4

Roadway Capacity Analysis

S. 25th Street is a four-lane, undivided roadway with a center two-way, left-turn lane. S. 25th Street near the project site currently operates at Level of Service B during both the AM and PM peak hours based on the latest traffic counts provided by the St. Lucie County Transportation Planning Organization. With the minor increase in traffic anticipated from the proposed development, S. 25th Street is expected to continue to operate at an acceptable level of service.

Conclusion

Based on the analysis contained herein, the proposed development is expected to result in minimal impact to the surrounding roadway network. S. 25th Street is anticipated to operate at an acceptable level of service at the buildout of the project.

Sincerely,

A handwritten signature in black ink, appearing to read 'N. Lercari', with a horizontal line underneath.

Natalia T. Lercari, P.E.

Project Manager

NTL/hsv

Attachments

APPENDIX A

TRIP GENERATION INFORMATION

Variety Store (814)

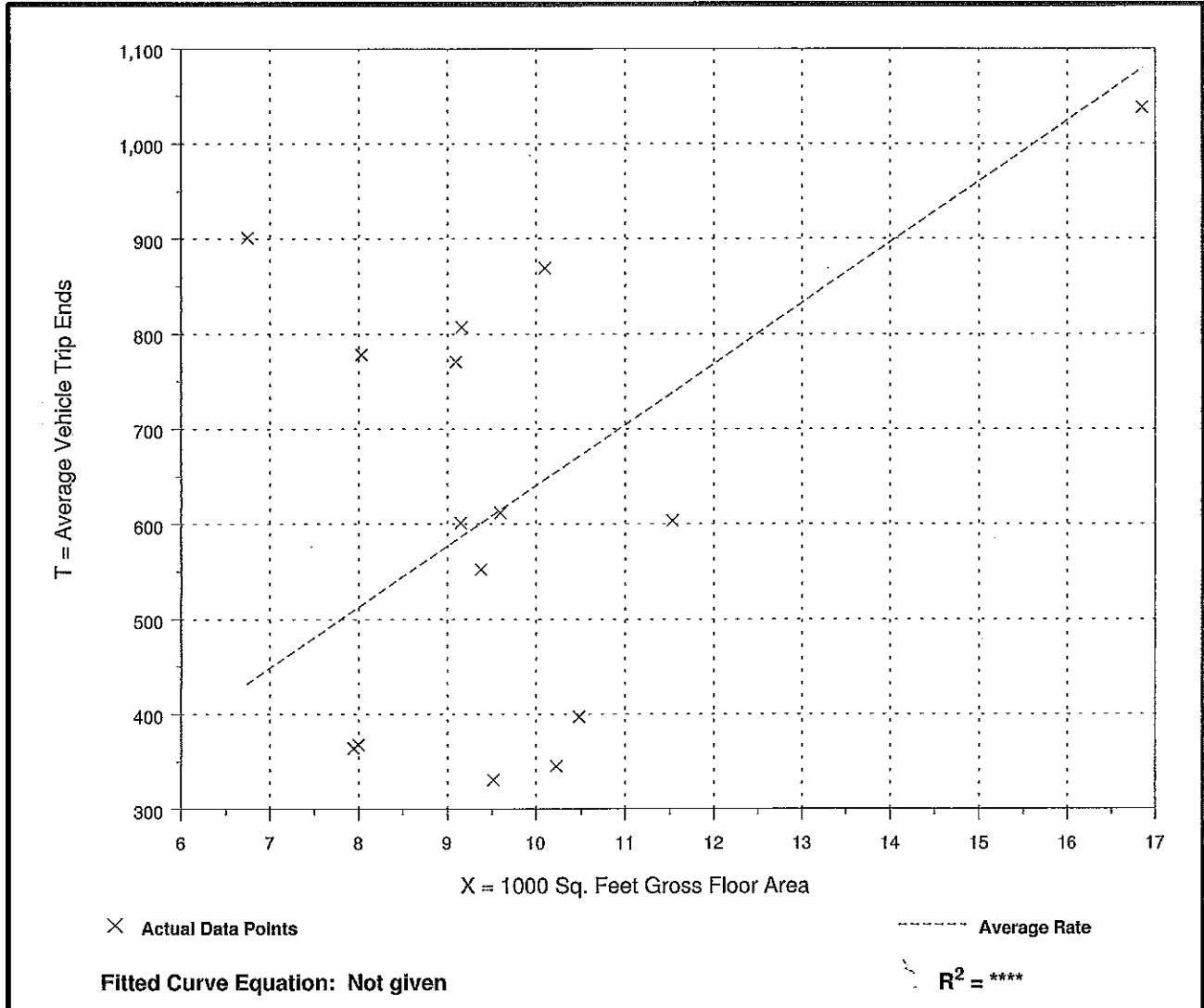
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday

Number of Studies: 15
 Average 1000 Sq. Feet GFA: 10
 Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 64.03 | 33.73 - 133.60 | 25.69 |

Data Plot and Equation



Variety Store (814)

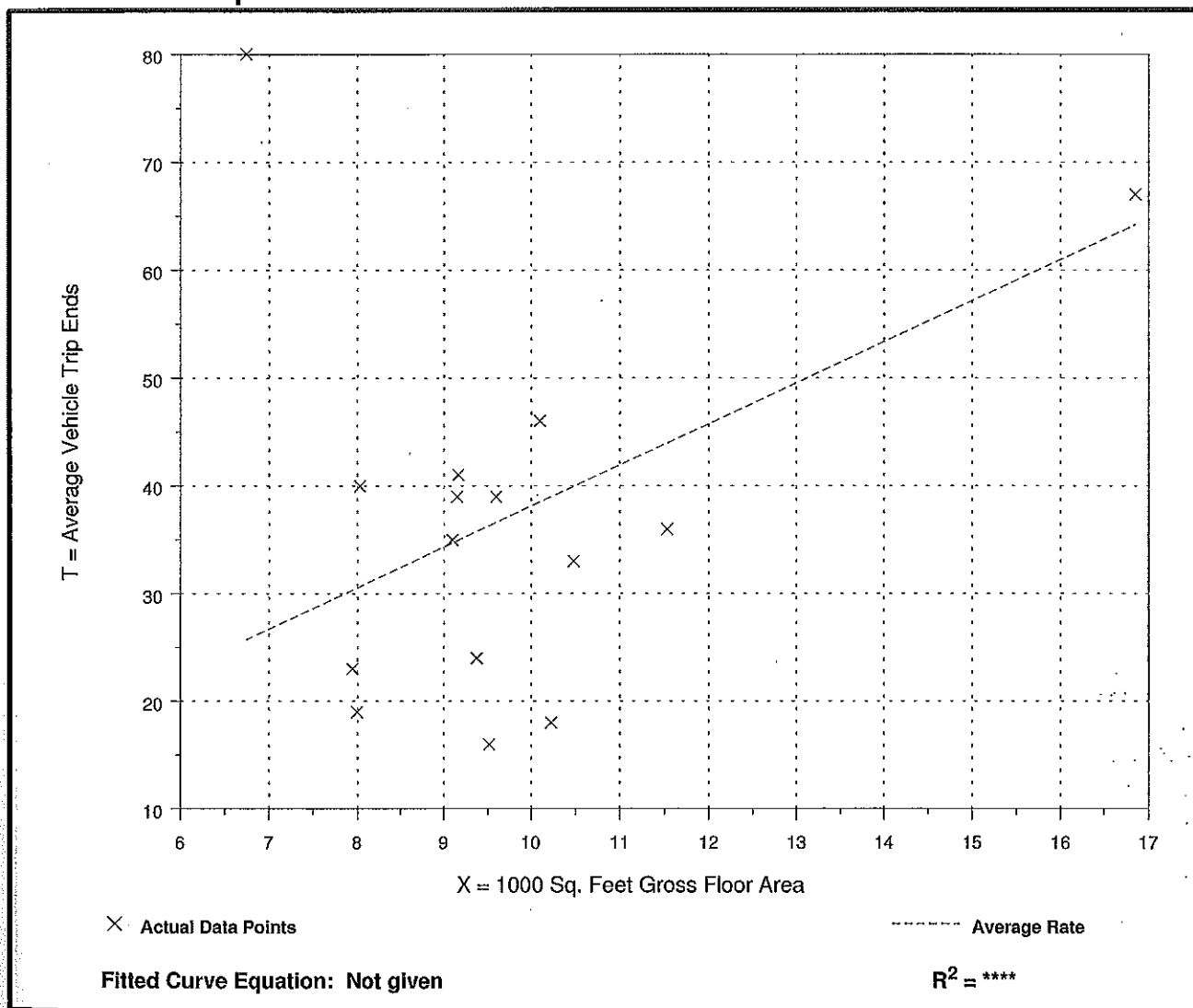
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 15
 Average 1000 Sq. Feet GFA: 10
 Directional Distribution: Not available

Trip Generation per 1000 Sq. Feet Gross Floor Area

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 3.81 | 1.68 - 11.86 | 2.74 |

Data Plot and Equation



Variety Store (814)

Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.

Number of Studies: 15
 Average 1000 Sq. Feet GFA: 10
 Directional Distribution: Not available

Trip Generation per 1000 Sq. Feet Gross Floor Area

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 6.82 | 3.15 - 13.94 | 3.80 |

Data Plot and Equation

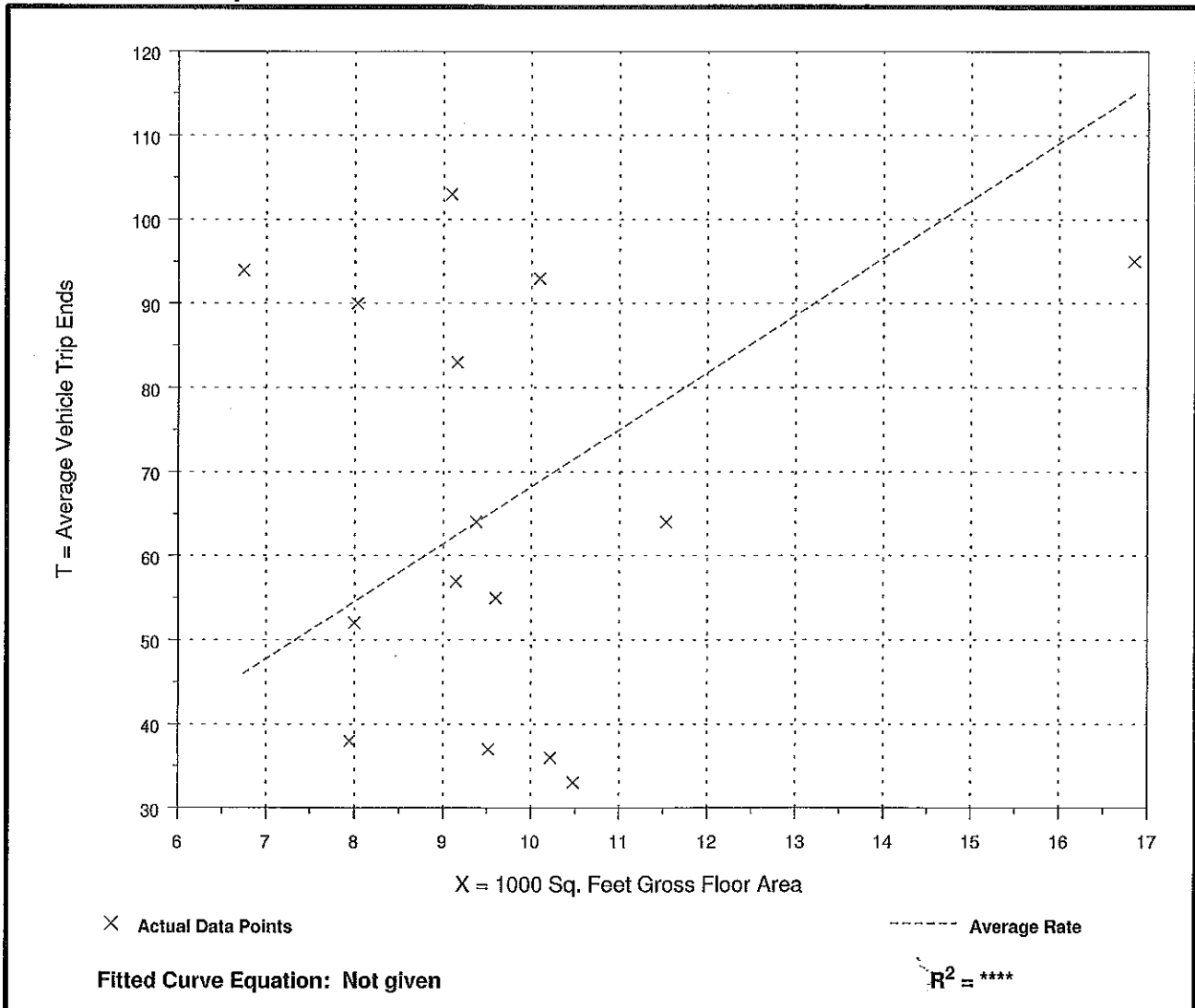


Table 5.3
Pass-By Trips and Diverted Linked Trips
Weekday, p.m. Peak Period
Land Use 815—Free-Standing Discount Store

| SIZE (1,000 SQ. FT. GFA) | LOCATION | WEEKDAY SURVEY DATE | NO. OF INTERVIEWS | TIME PERIOD | PRIMARY TRIP (%) | NON-PASS- BY TRIP (%) | DIVERTED LINKED TRIP (%) | PASS-BY TRIP (%) | ADJ. STREET PEAK HOUR VOLUME | SOURCE |
|--------------------------------|------------------|---------------------------|----------------------|----------------|---------------------|-----------------------------|--------------------------------|---------------------|------------------------------------|--------------------------------|
| 116 | Auburn, NY | Nov. 1994 | 80 | 4:00-6:00 p.m. | 33.8 | — | 37.4 | 28.8 | 1,490 | Bergmann Associates |
| 116 | Fredonia, NY | Nov. 1994 | 80 | 4:00-6:00 p.m. | 46.3 | — | 30.0 | 23.7 | 1,620 | Bergmann Associates |
| 122 | Marlton, NJ | Nov. 1994 | 73 | 4:15-5:15 p.m. | 50.7 | — | 27.4 | 21.9 | 1,360 | Raymond Keyes Assoc. |
| 127 | Marlton, NJ | Nov. 1994 | 23 | 4:00-5:00 p.m. | 21.8 | — | 39.1 | 39.1 | 1,410 | Raymond Keyes Assoc. |
| 127 | Toms River, NJ | Nov. 1994 | 137 | 4:00-5:00 p.m. | 46.0 | — | 40.9 | 13.1 | 1,430 | Raymond Keyes Assoc. |
| 128 | Toms River, NJ | Nov. 1994 | 89 | 4:00-5:00 p.m. | 60.7 | — | 32.6 | 6.7 | 1,290 | Raymond Keyes Assoc. |
| 128 | Brick, NJ | Nov. 1994 | 48 | 4:15-5:15 p.m. | 41.7 | — | 50.0 | 8.3 | 2,560 | Raymond Keyes Assoc. |
| 128 | Brick, NJ | Nov. 1994 | 56 | 4:00-5:00 p.m. | 46.4 | — | 39.3 | 14.3 | 2,550 | Raymond Keyes Assoc. |
| 126 | Berlin, NJ | Feb. 1994 | 45 | 4:30-5:30 p.m. | 75.5 | — | 17.8 | 6.7 | 1,230 | Raymond Keyes Assoc. |
| 126 | Berlin, NJ | Feb. 1994 | 95 | 4:00-5:00 p.m. | 61.0 | — | 37.9 | 1.1 | 1,430 | Raymond Keyes Assoc. |
| 133 | Mays Landing, NJ | Feb. 1994 | 22 | 4:00-5:00 p.m. | 81.8 | — | 9.1 | 9.1 | 3,640 | Raymond Keyes Assoc. |
| 133 | Mays Landing, NJ | Feb. 1994 | 40 | 4:00-5:00 p.m. | 55.0 | — | 42.5 | 2.5 | 3,700 | Raymond Keyes Assoc. |
| 127 | Toms River, NJ | Sept. 1994 | 58 | 4:00-5:00 p.m. | 65.5 | — | 20.7 | 13.8 | 1,380 | Raymond Keyes Assoc. |
| 127 | Toms River, NJ | Sept. 1994 | 83 | 4:15-5:15 p.m. | 57.8 | — | 28.9 | 13.3 | 1,390 | Raymond Keyes Assoc. |
| 128 | Brick, NJ | Sept. 1994 | 117 | 4:30-5:30 p.m. | 47.0 | — | 26.5 | 26.5 | 2,640 | Raymond Keyes Assoc. |
| 128 | Brick, NJ | Sept. 1994 | 98 | 4:00-5:00 p.m. | 49.0 | — | 21.4 | 29.6 | 2,640 | Raymond Keyes Assoc. |
| 127 | Berlin, NJ | Sept. 1994 | 35 | 4:00-5:00 p.m. | 71.4 | — | 20.0 | 8.6 | 1,240 | Raymond Keyes Assoc. |
| 88 | Omaha, NE | n/a | n/a | 4:00-6:00 p.m. | 26.0 | — | 51.0 | 23.0 | n/a | University of Nebraska—Lincoln |
| 100 | Omaha, NE | n/a | n/a | 4:00-6:00 p.m. | 32.0 | — | 46.0 | 22.0 | n/a | University of Nebraska—Lincoln |
| 100 | Omaha, NE | n/a | n/a | 4:00-6:00 p.m. | 22.0 | — | 49.0 | 29.0 | n/a | University of Nebraska—Lincoln |
| 88 | Omaha, NE | n/a | n/a | 4:00-6:00 p.m. | 33.0 | — | 48.0 | 19.0 | n/a | University of Nebraska—Lincoln |
| 66 | Omaha, NE | n/a | n/a | 4:00-6:00 p.m. | 21.0 | — | 60.0 | 19.0 | n/a | University of Nebraska—Lincoln |

Average Pass-By Trip Percentage: 17

SUNSHINE STATE ONE CALL TICKET 219307961

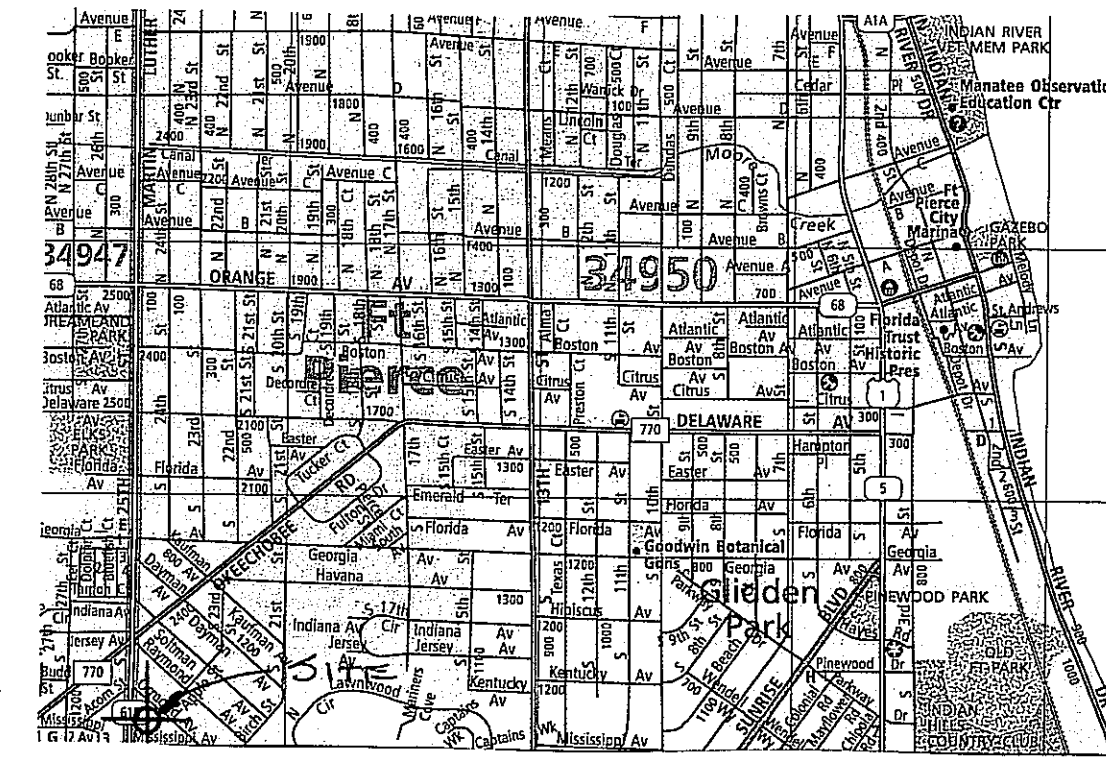
| SERVICE AREA: | RESPONSE: | CONTACT: | TELEPHONE: | UTILITY TYPE: |
|--------------------------------|-----------|--------------------------|--------------------|-----------------------------|
| FT. PIERCE UTILITIES AUTHORITY | MARKED | CENTRAL LOCATING SERVICE | 888-778-8140 | CITY & FIBER |
| A&T / DISTRIBUTION | MARKED | TRUCK WILLIAMS | 772-460-2000 X 400 | TRAFFIC SIGNALS/STORM DRAIN |
| CONDUIT CABLE | MARKED | AVENUE EXT 6209 | 772-460-8000 | WATER/SEWER/RAV/ELECTRIC |
| CITY OF FORT PIERCE | MARKED | USC 0504101 | 888-778-8140 | TELEPHONE |

SUNSHINE STATE ONE CALL TICKET 219308003

| SERVICE AREA: | RESPONSE: | CONTACT: | TELEPHONE: | UTILITY TYPE: |
|--------------------------------|-----------|--------------------------|--------------------|-----------------------------|
| FT. PIERCE UTILITIES AUTHORITY | MARKED | CENTRAL LOCATING SERVICE | 888-778-8140 | CITY & FIBER |
| A&T / DISTRIBUTION | MARKED | TRUCK WILLIAMS | 772-460-2000 X 400 | TRAFFIC SIGNALS/STORM DRAIN |
| CONDUIT CABLE | MARKED | AVENUE EXT 6209 | 772-460-8000 | WATER/SEWER/RAV/ELECTRIC |
| CITY OF FORT PIERCE | MARKED | USC 0504101 | 888-778-8140 | TELEPHONE |

SUNSHINE STATE ONE CALL TICKET 219308037

| SERVICE AREA: | RESPONSE: | CONTACT: | TELEPHONE: | UTILITY TYPE: |
|--------------------------------|-----------|--------------------------|--------------------|-----------------------------|
| FT. PIERCE UTILITIES AUTHORITY | MARKED | CENTRAL LOCATING SERVICE | 888-778-8140 | CITY & FIBER |
| A&T / DISTRIBUTION | MARKED | TRUCK WILLIAMS | 772-460-2000 X 400 | TRAFFIC SIGNALS/STORM DRAIN |
| CONDUIT CABLE | MARKED | AVENUE EXT 6209 | 772-460-8000 | WATER/SEWER/RAV/ELECTRIC |
| CITY OF FORT PIERCE | MARKED | USC 0504101 | 888-778-8140 | TELEPHONE |



LOCATION MAP: NOT TO SCALE

ALTA/ACSM LAND TITLE SURVEY

LEGAL DESCRIPTION:

PARCEL 1:
 LOTS 1, 2 AND 3, LESS THE WEST 15 FEET THEREOF, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPTING STREET RIGHT OF WAYS THEREFROM.
 PARCEL 2: 4, 5, 6, 7, 8, 9, 10, LESS THE WEST 15 FEET THEREOF, THE WEST ONE-HALF OF LOT 11, ALL IN BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
 AND
 LOTS 22 AND 23, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS THE NORTHEASTERLY 150 FEET THEREOF AND BEING DESCRIBED AS THAT PORTION OF LOTS 22 AND 23 LYING NORTH NAD EAST OF A LINE DRAWN PARALLEL TO THE NORTHEAST LINE OF SAID LOTS AND 150 FEET SOUTHWEST OF SAID NORTHEAST LINE.

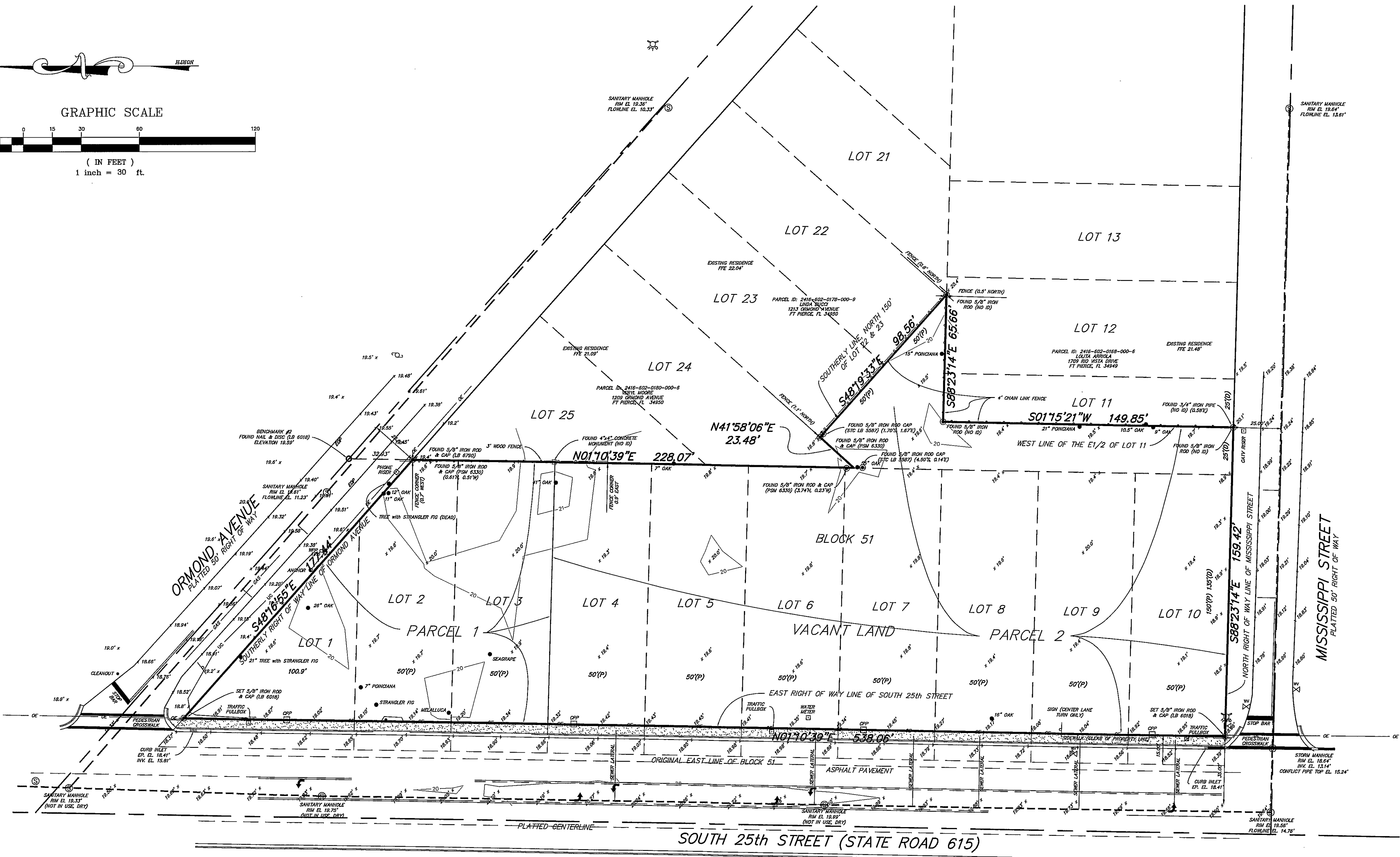
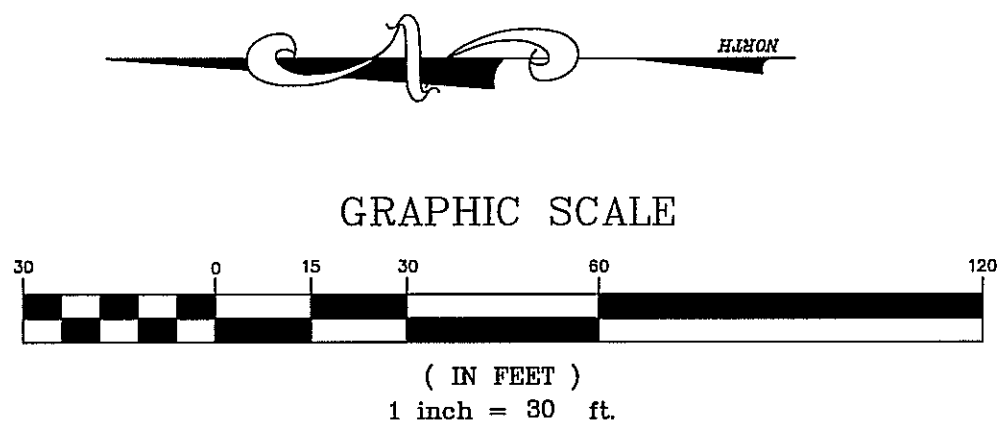
SURVEYOR'S NOTES:

- NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND UTILITIES ON/OR ADJACENT TO THIS SITE. THE APPROXIMATE LOCATION OF ALL UTILITIES SHOWN HEREON WERE TAKEN FROM AS-BUILT DRAWINGS AND/OR ON-SITE LOCATION AND SHOULD BE VERIFIED BEFORE CONSTRUCTION OR FENCES ON OR ADJACENT TO THIS SITE.
- NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND FOOTINGS OF BUILDINGS OR FENCES ON OR ADJACENT TO THIS SITE.
- LANDS SHOWN HEREON WERE SURVEYED IN ACCORDANCE WITH FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NO. 4098974, EFFECTIVE DATE: JANUARY 14, 2013 @ 8:00 AM SCHEDULE B - SECTION II.
- EXCEPTION #6: DEED BOOK 96, PG 457 - SEE NOTE BELOW EXCEPTIONS.
- EXCEPTION #7: DEED BOOK 125, PG 252 - SEE NOTE BELOW EXCEPTIONS.
- EXCEPTION #8: DEED BOOK 125, PG 252 - SEE NOTE BELOW EXCEPTIONS.
- NOTE: EXCEPTIONS 6, 7, 8 ARE UNDETERMINED BY THIS OFFICE. WE WERE TOLD BY DOT (DISTRICT 4) THAT THE STATE ROAD 615 WAS TRANSFERRED FROM ST. LUCIE COUNTY TO THE STATE OF FLORIDA IN 1975. DETERMINATION WILL HAVE TO BE MADE BY OTHERS.
- EXCEPTION #9: PLAT BOOK 4, PAGE 52 - AFFECTS PROPERTY, NO PLOTTABLE EXCEPTIONS.
- BEARINGS SHOWN HEREON REFER TO AN ASSUMED MERIDIAN OF N.01°10'39"E. ALONG THE EAST RIGHT OF WAY LINE OF SOUTH 25th STREET.
- ALL ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
- ST. LUCIE COUNTY BENCHMARK, REFERENCE NO. VIR 3-04 (ELEVATION 16.81')
- LEGAL DESCRIPTION FURNISHED BY CLIENT.
- SITE AREA: 71804.58 SQUARE FEET OR 1.65 ACRES MORE OR LESS.
- THIS SITE LIES IN FLOOD ZONE "X" AS SCALED AND INTERPOLATED FROM FEMA MAP PANEL NO. 12028B-0186-J, DATED: FEBRUARY 16, 2012.
- LIMITS OF JURISDICTIONAL WETLANDS, DITCHES, DRAINAGE WAYS, WATER FLOWS, AND/OR BODIES OF WATER, IF ANY, ARE NOT DETERMINED BY THIS SURVEY. CLIENT IS ADVISED TO CONTACT APPROPRIATE GOVERNING AGENCIES FOR POSSIBLE LIMITS OF JURISDICTION.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
- THERE WAS NO OBSERVABLE EVIDENCE OF THIS SITE BEING USED AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.

SURVEYOR'S CERTIFICATION:

TO: HUTTON PARTNERS, LLC, A TENNESSEE LIMITED LIABILITY COMPANY; PRESTON O. COCKEY, JR., P.A.; AND FIDELITY NATIONAL TITLE INSURANCE COMPANY.
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(c), 7(b), 7(c), 8, 9, 10(a), 10(b), 11(a), 11(b), 12, 13, 14, 16, 17, 18, 19, 20 AND 21 OF TABLE "A" THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 9, 2013.

ROBERT BLOOMSTER JR.
 PROFESSIONAL LAND SURVEYOR
 NO. 4134 STATE OF FLORIDA



- LEGEND**
- CLEAN CUT
 - (WP) WOOD POWER POLE
 - MANHOLE
 - WATER VALVE
 - FIRE HYDRANT
 - SPOT ELEVATIONS
 - INVERT
 - ELEVATION
 - PSM PROFESSIONAL SURVEYOR AND MAPPER
 - CONCRETE POWER POLE
 - OVERHEAD ELECTRIC
 - FINISH FLOOR ELEVATION
 - UNDERGROUND CABLE
 - LICENSED BUSINESS
 - IDENTIFICATION
 - PLAT
 - DEED

BLOOMSTER
 PROFESSIONAL LAND
 SURVEYORS, INC.
 L.B. #6018

641 NORTHEAST SPENCER STREET
 JENSEN BEACH, FLORIDA 34957
 PHONE 772-334-0868

| | |
|-----------------------|--------------|
| SHEET 1 OF 1 | |
| DRAWN BY: | DPK |
| SCALE: | 1" = 30' |
| FIELD WORK COMPLETED: | 8/12/13 |
| FIELD BOOK: | SKETCH |
| JOB NO.: | 12343 |
| REVISIONS | |
| DATE: | DESCRIPTION: |
| | BY: |

THE HUTTON COMPANY
 1210 SOUTH 25th STREET
 FORT PIERCE, ST. LUCIE COUNTY, FLORIDA

The next item considered – **Item # 6 6. Future Land Use Map Amendment (LPA Hearing) - East Side of South 25th Street between Ormond Avenue and Mississippi Avenue – Family Dollar Properties:** A request for approval to change the Future Land Use designation from OP – Offices - Professional and Business Services to NC, Neighborhood Commercial. The owner is First Southern Bank, represented by Daimian Leslie, P.E. of Creech Engineers, Inc. The Planning Board, as the Local Planning Agency, to review and provide a recommendation.

Ryan Sweeney: Both items 6 and 7 will be presented together as a singular staff report and then we will have two separate hearings. The applicant is requesting the approval of a Future Land Use Map Amendment from OP, Offices and Professional Business Services to NC, Neighborhood Commercial and a Zoning Atlas Amendment from C-1, Office Commercial to C-2, Neighborhood Commercial for 6 parcels totaling 1.68 acres. The subject parcels are located on the east side of S 25th street, just south of the intersection of Okeechobee Road and 25th Street, between Orman Avenue and Mississippi Avenue. The subject parcels are zoned C-1, Office Commercial and are located within a transitional zone between the General Commercial at the intersection of Okeechobee Road and 25th Street and the predominant Office Commercial area that surrounds the Lawnwood Regional Medical Center. It was recommended to the applicant that they pursue a Neighborhood Commercial Future Land Use and zoning designation as opposed to a General Commercial designation to further facilitate this transitional area. The applicant obliged and is requesting Neighborhood Commercial Future Land Use and zoning designations. Before an amendment may be approved, the following standards must be satisfied per Section 22-131 of the City Code: The amendment must be consistent with the Comprehensive Plan, the amendment will not have an adverse effect on the ability of the City to satisfy land and water use needs and meet transportation demands and provide community facilities and services, the amendment will also promote and protect the public health, safety and general welfare. As the proposed amendments meet the standards outlined in Section 22-131, staff recommends that the Planning Board forward a recommendation of approval to the City Commission.

Ms. Baker states that one of the requirements was a traffic study and the only reference that is seen regarding a traffic study was that it was at its maximum, stating change in demand would be 442 trips.

Mr. Sweeney states that it is supplemented by the traffic report that's further in the packet. Those trips are based on the store that they are proposing. The traffic study for a rezone and future land use is tricky because they're not really basing it on anything in particular, but for this particular application, as noted in the staff report, they are doing the analysis based on a roughly 8,320 sq. ft. store.

Ms. Baker asks what the difference between the traffic requirements for the existing zoning and the proposed zoning.

Mr. Sweeney states for the zoning change itself, it's difficult. There really is no change in that the permitted intensity that the site can be developed at under C-1 is 60% lot coverage and a certain building height. Changing the zoning to C-2 will present the same parameters. There isn't a change there. They provided the numbers from the proposed project they are pursuing. The change in zoning is not really resulting in any additional capacity being consumed.

Irene Settlemyer (713 Easter Avenue): What kind of uses are allowed in the proposed zoning versus the existing zoning.

Mr. Sweeney states that generally the C-1, Office Commercial zone allows for office type uses such as medical, professional and businesses. C-2 is more restricted in some cases, but it does allow for a number of additional commercial uses that are intended to service the surrounding residential areas. Ultimately, that is the reason for tonight's request.

Ms. Ganzi states that the staff report included states that the applicant held a neighborhood meeting. What took place in that meeting?

Damien Leslie (Bowen Consultants/Representative): The meeting was held in October and three representatives from the community attended the meeting. We described the kind of project that we are doing. They were really encouraging of the new use. The property owner adjacent to the site wanted to make sure there was some type of screening which has been facilitated within our site plan.

Ms. Ganzi asks what the hours are going to be for the store.

Mr. Leslie states he would have to give that answer at a later time.

Ms. Baker asks if the store will contemplate having a beer and wine license.

Mr. Leslie states that it was discussed with the applicant. It is still under debate.

Chairman Weaver asks if secondary streets will be used as points of access as well and were the neighbors aware of that.

Mr. Leslie answers yes.

Mr. Sweeney states that there is a notice requirement for all neighbors within a 500 ft. radius of the site, so if they didn't get to attend the neighborhood meeting they will be aware of the project via those notices from the Planning Department.

Mr. George makes a motion and is seconded by Ms. Ganzi - to approve the Future Land Use map amendment with staff's recommendation.

Those in favor: Ms. Castro, Ms. Cummings, Mr. O'Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those opposed: None.

Motion is approved unanimously.

The next item considered – **Item # 7 Zoning Atlas Amendment (Rezoning) – East Side of South 25th Street between Ormond Avenue and Mississippi Avenue – Family Dollar Properties:** A request for approval to change the zoning designation from C-1, Office Commercial to C-2, Neighborhood Commercial. The owner is First Southern Bank, represented by Daimian Leslie, P.E. of Creech Engineers, Inc.

Mr. Sweeney states that the staff report is the same. The request is for a rezoning from C-1, Office Commercial to C-2 Neighborhood Commercial.

Ms. Baker makes a motion and is seconded by Mr. George - to approve the Zoning Atlas Amendment with staff's recommendation.

Those in favor: Ms. Castro, Ms. Cummings, Mr. O'Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those opposed: None.

Motion is approved unanimously.

The next item considered – **Item #8 Annexation - 3700 Okeechobee Road - Indian River Oil:** A request for annexation into the City of Fort Pierce.

Kori Benton: The request before you is a voluntary annexation application by the property owners of Indian River Oil Company and the applicant Robert Fender. The location is 3700 Okeechobee Road. The location map shows that there are properties to the east, west and south that are within existing Fort Pierce City Limits. The property itself is 1.73 acres in size and has a St. Lucie County zoning of CG, Commercial General and a Future Land Use of COM, Commercial. The annexation of the property would render it as zoning in the City of Fort Pierce as C-3, General Commercial as seen in the neighboring properties. The Future Land Use to be assigned to this property in the event of the annexation would be GC, General Commercial. City staff has reviewed the site as well as the application and found it to be consistent with the City's Comprehensive Plan, therefore City staff is recommending that the Planning Board forward a recommendation of approval to the City Commission.

Mr. Burdge states that in the staff report it does not show the zoning that it will be placed under once it is annexed. Is it being proposed that it be annexed as C-3, General Commercial?

Mr. Benton states that the annexation protocols for the City of Fort Pierce pursuant to Florida State statutes would assign an equivalent zoning. Since St. Lucie County and the

City Commission Regular Meeting

Agenda Item # 10. c.

Meeting Date: 04/07/2014

Re: Ordinance No. 14-011 - Amending the Zoning Designation of Properties Generally Located at 1210 S 25th Street from C-1 to C-2

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

SUBJECT:

Ordinance No. 14-011 - Rezoning Properties Generally Located at 1210 S 25th Street from C-1, Office Commercial to C-2, Neighborhood Commercial. SECOND READING

SUMMARY:

- The applicant is requesting to amend the City of Fort Pierce Zoning Atlas, changing the designation of six (6) parcels of land totaling 1.68 acres from C-1, Office Commercial to C-2, Neighborhood Commercial.
- The application was filed concurrent to a request to amend the Future Land Use (FLU) Map of the City's Comprehensive Plan, to change the FLU of said parcels from OP, Office – Professional & Business Services, to NC, Neighborhood Commercial.
- The applicant has filed a Site Plan for the construction of an approximately 8,300 square foot discount retail store at the site.
- The Planning Board, acting as the Local Planning Agency, voted unanimously to recommend approval at their January 14th, 2014 meeting.

RECOMMENDATION:

Approval of the requested Zoning Atlas Amendment

ALTERNATIVES:

Denial of the requested Zoning Atlas Amendment

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Officer

COORDINATED WITH:

None.

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

14-011

Staff Report

Planning Board Minutes

Zoning & Future Land Use Maps

Application

Survey

ORDINANCE NO. 14-011

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **REZONING** PROPERTIES GENERALLY LOCATED AT **1210 SOUTH 25TH STREET**, FROM C-1, OFFICE COMMERCIAL ZONE, TO C-2, NEIGHBORHOOD COMMERCIAL ZONE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida, a municipal corporation, as follows:

SECTION 1. From and after the effective date hereof, the following properties legally described as:

2416-602-0158-000-3: BILTMORE PARK BLK 51 LOT 1 AND LOT2-
LESS S 15 FT AND LESS RD R/W- (OR 3506-137)

2416-602-0160-000-0: BILTMORE PARK S/D BLK 51 S 15 FTOF
LOT 2 AND ALL LOT 3-LESS RD R/W- (OR 3506-137)

2416-602-0161-000-7: BILTMORE PARK BLK 51 LOTS 4, 5 AND 6-
LESS W 14.7 FT- (OR 3506-137)

2416-602-0164-000-8: BILTMORE PARK BLK 51 LOTS 7 AND 8-
LESS W 14.7 FT- (OR 3506-137)

2416-602-0166-000-2: BILTMORE PARK BLK 51 LOT 9-LESS W
14.7 FT- AND W 1/2 OF LOT 11 AND LOTS 22 AND 23-LESS NELY 150
FT- (OR 3506-137)

2416-602-0167-000-9: BILTMORE PARK BLK 51 LOT 10-LESSW
14.7 FT- (OR 3506-137)

shall be and the same is hereby rezoned from C-1, Office Commercial Zone, to C-2, Neighborhood Commercial Zone; said properties being generally located at 1210 South 25th Street in Fort Pierce, Florida.

SECTION 2. All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance is and the same shall become effective immediately upon final passage thereof.

**APPROVED AS TO FORM
AND CORRECTNESS:**

Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)^{SS}

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-011 was duly advertised by title only in the St. Lucie News Tribune on March 2, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on March 17, 2014; and was duly introduced, read by title only, and passed on second and final reading on April 7, 2014, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 7th day of April, 2014.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

TO: Robert J. Bradshaw, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Historic Preservation Officer

SUBJECT: **Family Dollar Properties: Zoning Map Amendment**
1210 South 25th Street

DATE: March 6, 2014

STAFF REPORT

Owner: First Southern Bank
Mr. Lee D. Wedekind, Jr., Senior Vice President
1177 SE Third Avenue
Fort Lauderdale, Florida 33316

Applicant: The Hutton Company
Mr. Chuck Borysiak
736 Cherry Street
Chattanooga, Tennessee 37402

Representative: Bowman Consulting
Mr. Daimian Leslie, P.E.
4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934

Requested Action: Approval of Zoning Atlas Amendment (Rezoning) from C-1, Office Commercial to C-2, Neighborhood Commercial.

Location: Generally located at 1210 S 25th Street, the east side of South 25th Street, between Ormond Avenue and Mississippi Avenue

Parcel IDs: 2416-602-0158-000/3; 2416-602-0160-000/0; 2416-602-0161-000/7;
2416-602-0164-000/8; 2416-602-0166-000/2; 2416-602-0167-000/9

Current Zoning: C-1, Office Commercial

Proposed Zoning: C-2, Neighborhood Commercial

Surrounding Zoning:

| North | East | South | West |
|-------|------|-------|------|
| C-3 | R-3 | C-1 | C-3 |

Parcel(s) Size: 1.68 acres

Utilities: Located within the FPUA Retail Service Area

Staff Analysis:

The applicant is requesting the approval of a Zoning Atlas Amendment (Rezoning) from C-1, Office Commercial to C-2, Neighborhood Commercial, concurrent with the previously presented Future Land Use Map Amendment.

As noted, the subject site is located in a transitional zone between the C-3, General Commercial segment surrounding the Okeechobee Road and South 25th Street intersection and the predominant C-1, Office Commercial area along 25th Street surrounding Lawnwood Regional Medical Center. In furthering a tiered transition, the recommendation was made to the applicant to pursue a C-2, Neighborhood Commercial zoning designation, as opposed to a C-3, General Commercial designation, to further this transitional area.

Table 1 demonstrates pertinent data regarding the existing and proposed for the subject site.

Table 1: Existing and Proposed Site Data

| | <u>Existing</u> | <u>Proposed</u> |
|---|---|--|
| Zoning | C-1 | C-2 |
| Purpose | This commercial classification is intended primarily for uses involving business and institutional uses which do not involve the direct sale or display of goods, the production of goods or the storage or shipment of bulk or large volume materials. Convenience commercial facilities, restaurants and certain other uses are allowed when appropriate conditions and safeguards indicated in this section are fulfilled. Uses in this district should have good access to arterial or collector streets. This district is sometimes suitable for use as a buffer separating other commercial zones from residential districts. | This district is intended to be a restricted commercial zone which is designed to meet some of the commercial needs of the immediate residential neighborhood. Uses allowed are primarily those which provide convenience goods or frequently used services. Large business operations and extensions of strip commercial areas are not desired. Areas zoned C-2 should be located near the intersections of major streets and generally close to an R-4 zone. |
| Permitted Uses Exclusive to District | <ul style="list-style-type: none"> • Brew Pub • Day Labor Employment Agency • Medical and Dental Clinic | <ul style="list-style-type: none"> • Coffee Shop • Bed & Breakfast • Grocery or Liquor Stores • Neighborhood Commercial Sale • Laundry & Dry Cleaners • Laundromat • Neighborhood Commercial Services |
| Maximum Lot Coverage Permitted | 60% | 60% |
| Maximum Building Height | 65 ft. | 45 ft. |

The C-1, Office Commercial and C-2, Neighborhood Commercial zone present distinct differentiation in intended purposes for commercial activity, specifically the allowance of retail sale of goods within the C-2 zone. Both districts are intended to have good access to arterial roadways, minimizing impacts on surrounding residential uses. The subject site is consistent with the prerequisite that areas zoned C-2 should be located near the intersections of major streets and generally close to an R-4 zone, based upon the close proximity to the

intersection of Okeechobee Road and 25th Street, as well as R-4 zoned properties surrounding Lawnwood Regional Medical Center. The proposed zoning designation maintains the same maximum permitted lot coverage (area covered by buildings) at 60%, and further limits building height to 45 ft., as opposed to 65 ft. within the current C-1 designation. The expanded uses desired by the applicant, permitted in the C-2, Neighborhood Commercial Zone, are Grocery Stores & Neighborhood Commercial Sales Establishments.

The applicant is pursuing the proposed amendments in order to construct an approximately 8,300 square foot discount retail store. The applicant has recently filed an application for Site Plan review for said project. The representative for the project has indicated that the Site Plan has been placed on hold, temporarily. The Site Plan will be reviewed by the Planning Board prior to being routed to the City Commission for final review. The applicant held a neighborhood meeting, as recommended by Planning Staff, to discuss the proposed project with surrounding property owners. Planning Staff did not attend the meeting; however, the applicant has indicated that the neighbors were generally accepting of the proposed project. Additional details of the meeting may be asked of the applicant or representative, if necessary.

Standards for Review

The following standards must be satisfied per Section 22-131 of the City Code prior to the approval of the requested amendment:

- (1) The amendment is consistent with the comprehensive plan;
- (2) The amendment will not have an adverse effect on the ability of the city to:
 - a. Satisfy land and water use needs; and
 - b. Meet transportation demands and provide community facilities and services; and
- (3) The amendment will promote and protect the public health, safety and general welfare.

The proposed amendment is consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan and is consistent with the concurrent request to amend the Future Land Use Designation of the site. Furthermore, the amendment will not have an adverse effect on the ability of the city to satisfy land and water use needs, meet transportation demands, and provide community facilities and services. The presented amendment will promote and protect the public health, safety and general welfare through the increased variety and access to neighborhood goods services, ensuring minimal impacts to neighboring residential districts.

TRC Recommendation:

All affected departments have reviewed and approved the applications. No significant increase in traffic or other impacts to public facilities are expected to be generated by the proposed amendments.

Planning Board Recommendation:

The Planning Board, at their January 14th, 2014 Local Planning Agency hearing, voted unanimously to recommend approval of the requests.

Property Owner Response Summary:

A total of 95 notifications of the proposed Zoning Atlas Amendment were mailed to property owners located within 500 feet of the subject property. As of March 6, 2014, zero (0) responses have been received. An update of responses will be provided at the City Commission Meeting.

Staff Recommendation:

The proposed amendment meets the criteria specified in Section 22-131 of the City Code and promotes and protects the public health, safety and general welfare; therefore Staff recommends that the City Commission **approve** the proposed amendment.

The next item considered – **Item # 6 6. Future Land Use Map Amendment (LPA Hearing) - East Side of South 25th Street between Ormond Avenue and Mississippi Avenue – Family Dollar Properties:** A request for approval to change the Future Land Use designation from OP – Offices - Professional and Business Services to NC, Neighborhood Commercial. The owner is First Southern Bank, represented by Daimian Leslie, P.E. of Creech Engineers, Inc. The Planning Board, as the Local Planning Agency, to review and provide a recommendation.

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Mr. George makes a motion and is seconded by Ms. Ganzi - to approve the Future Land Use map amendment with staff's recommendation.

Those in favor: Ms. Castro, Ms. Cummings, Mr. O'Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those opposed: None.

Motion is approved unanimously.

The next item considered – **Item # 7 Zoning Atlas Amendment (Rezoning) – East Side of South 25th Street between Ormond Avenue and Mississippi Avenue – Family Dollar Properties:** A request for approval to change the zoning designation from C-1, Office Commercial to C-2, Neighborhood Commercial. The owner is First Southern Bank, represented by Daimian Leslie, P.E. of Creech Engineers, Inc.

Mr. Sweeney states that the staff report is the same. The request is for a rezoning from C-1, Office Commercial to C-2 Neighborhood Commercial.

Ms. Baker makes a motion and is seconded by Mr. George - to approve the Zoning Atlas Amendment with staff's recommendation.

Those in favor: Ms. Castro, Ms. Cummings, Mr. O'Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those opposed: None.

Motion is approved unanimously.

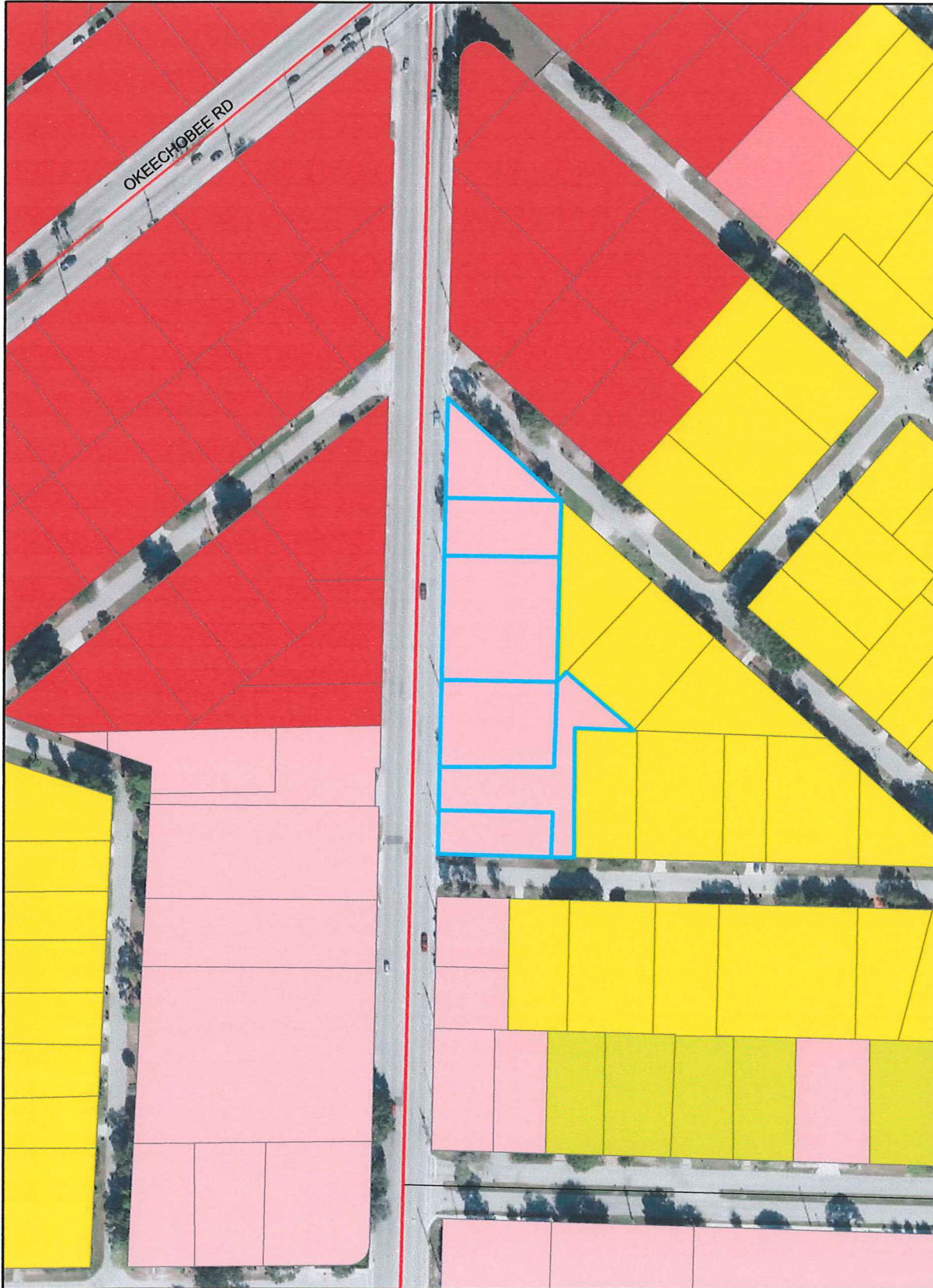
The next item considered – **Item #8 Annexation - 3700 Okeechobee Road - Indian River Oil:** A request for annexation into the City of Fort Pierce.

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Zoning Map





















Legend

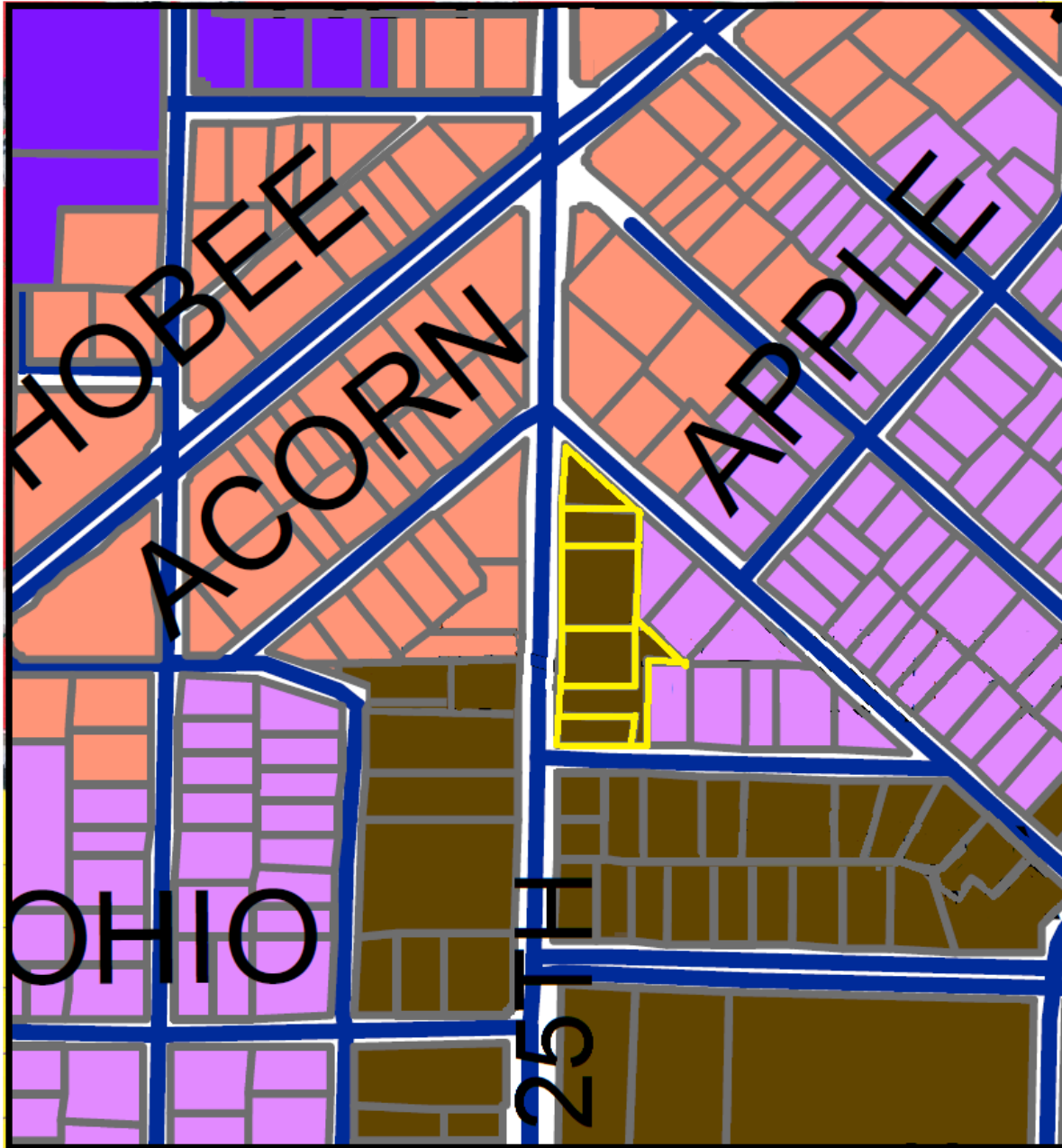
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- AG1
- AG2.5
- AR-1
- C1
- C2
- C3
- C4
- C5
- C6
- CP1
- E1
- E2
- E3
- I1
- I2
- I3
- OS1
- OS2
- PUD
- PUR
- R1
- R2
- R3
- R4
- R4A
- R5

Future Land Use Map



Legend

-  RH
-  RM
-  RL
-  RS
-  HIMU
-  HIR
-  OP
-  BC
-  MXD
-  NC
-  GC
-  CBD
-  MC
-  COS
-  BI
-  I
-  HI
-  CI
-  INST





CITY OF FORT PIERCE

PLANNING DEPARTMENT

COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

Application for Zoning Atlas Map Amendment

Application submission shall include the following:

- **TRC** (*Initial Submission): One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board**: One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **City Commission**: One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- Warranty Deed & Legal Description
- St. Lucie County Property Record Card
- Statement of why there is a need for the proposed future land use map amendment and how the amendment will result in an orderly and logical development pattern; statements how amendment(s) are consistent with Comprehensive Plan; how future land use designation is compatible with future land use designations and existing land uses surrounding the amended lands; identify future land use designations and existing land uses within a ½ mile of the subject property that have the same or greater type of proposed future land use designation; data and analysis to support conclusions.
- Current Survey
- Environmental Study
- Traffic Impact Report
- *** Capacity Analysis-Separate Form
- Drainage Analysis
- Historical Report
- 1 CD of all documents submitted in PDF
- Other _____

1. Property Address/Location: East side of S 25th St. between Ormond Ave and Mississippi Ave
2416-602-0158-000-3, 2416-602-0160-000-0, 2416-602-0161-000-7, 2416-602-0164-000-8, 2416-
2. Property Tax ID(s): 602-0166-000-2, 2416-602-0167-000-9
3. Total Acreage: 1.68 acres
4. Existing Future Land Use Designation: OP (Office Professional)
5. Existing Zoning Classification: C-1 (Office Commercial)

- 6. Proposed Zoning Classification: C-2 (Neighborhood Commercial)
- 7. Other applications being submitted concurrent with this application, if any: _____
Small Scale Land Use Amendment
- 8. Describe the existing uses, improvements and structures on the amendment lands: _____
The existing site is vacant
- 9. Are there any identified or possible historical structures on the amendment lands? No
- 10. The reason for making this request: The proposed construction consists of a General Retail store which is not an approved use in the existing zoning

11. CAPACITY ANALYSIS

I. Site Data:

| | Existing Use | Future Land Use | Zoning |
|--------------|----------------|-----------------|--------|
| North | U-Haul Store | GC | C-3 |
| South | Residential | OP | R-3 |
| East | Residential | INST | R-3 |
| West | Medical Center | OP | C-1 |

| | Future Land Use | Zoning Classification | Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage | Total Acreage | Flood Zone |
|-----------------|----------------------------|-----------------------------|--|---------------|------------|
| Current | OP Office Professional | C-1 Office Commercial | 73,200 sqft x 60% bldg coverage = 43,920 sqft | 1.68 ac | X |
| Proposed | NC Neighborhood Commercial | C-2 Neighborhood Commercial | 73,200 sqft x 60% bldg coverage = 43,920 sqft | 1.68 ac | N/A |

II. Public Facilities Information:

| A. Potable Water: | |
|--------------------------|---|
| Average Use | Residential: 100 gallons per day per person (du x 2.6 = persons x 100 gpd = demand) Other: 0.125 gallons per day per square foot |
| Demand Analysis | Maximum |
| Current Zoning | 5490 Total gallons per day (0.125 gpd/sf X 43920 sf) |
| Proposed Zoning | 5490 Total gallons per day (0.125 gpd/sf X 43920 sf) |
| Change in Demand | 0 Total gallons per day |

| | |
|-------------------------|---|
| B. Wastewater: | |
| Average Use | Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) Other: 0.1 gallons per day per square foot |
| Demand Analysis | Maximum |
| Current Zoning | 4392 Total gallons per day (0.10 gpd/sf X 43920 sf) |
| Proposed Zoning | 4392 Total gallons per day (0.10 gpd/sf X 43920 sf) |
| Change in Demand | 0 Total gallons per day |

| C. Parks and Recreation (Residential Classifications Only): (Du x 2.6 = persons + 44,227 = population /LOS) | | | | |
|---|-----------------------------|---------------------------------|---------------------------------|------------------|
| Park Type | LOS | Existing Population Park Demand | Proposed Population Park Demand | Change in Demand |
| Regional | 20 acres per 1,000 people | | | |
| Urban District | 5 acres per 1,000 people | | | |
| Community | 2.5 acres per 1,000 people | | | |
| Neighborhood | 1.36 acres per 1,000 people | | | |

| | | |
|---|------------|-------------|
| D. Public Schools (Residential Classifications Only): Single Family: (du x 0.405 = students/70% K-8/30% High) Multi-family: (du x 0.207 = students/70% K-8/30% High) | | |
| | K-8 | High |
| School Name | | |
| City | | |
| Distance | | |
| Current Zoning Enrollment Demand | | |
| Proposed Zoning Enrollment Demand | | |
| Change in Demand | | |

| | |
|--|---------|
| E. Solid Waste: 2 yard serves 15 units, 4 yard serves 30 units, 6 yard serves 45 units, 8 yard serves 60 units | |
| Demand Analysis | Maximum |
| Current Zoning | |
| Proposed Zoning | |
| Change in Demand | |

F. Stormwater:
Potential increase in volume discharged due to increased impervious coverage, reduced

groundwater seepage or loss of surface water storage impacting Adopted LOS of 25-year 3-day storm Pre vs. Post Runoff (Storm sewers to convey 5 year- 1 day storm event; Canals to convey 3 year – 1 day storm event)

| | |
|---------------|--|
| Impact | No impact proposed, the site will have a stormwater management system that will limit the discharge to less than or equal to the pre-development conditions. |
|---------------|--|

III. Transportation Analysis

| | | |
|--|-------------|------------------------------|
| G. Traffic | | |
| Most recent ITE Code for use; HCM Roadway Capacity | | |
| | AADT | AM/PM Peak Hour Trips |
| Demand Analysis | Maximum | Maximum |
| Current Zoning | | |
| Proposed Zoning | | |
| Change in Demand | 442 Trips | Trips 27 AM / 47 PM |
| Impact to Capacity | | |

12. Name of Owner(s): First Southern Bank
 Mailing Address: 1177 SE Third Ave
 City Fort Lauderdale State FL Zip 33316
 Phone # _____
 E-mail: _____

13. Name of Applicant: The Hutton Company - Chuck Borysiak
 Mailing Address: 736 Cherry Street
 City Chattanooga State TN Zip 37402
 Phone # 423-643-9202 Fax # 423-664-7100
 E-mail: cborysiak@thehuttoncompany.com

14. Name of Representative: Creech Engineers, Inc - Daimian Leslie
 Mailing Address: 4450 W Eau Gallie Blvd. Suite 232
 City Melbourne State FL Zip 32934
 Phone # 321-255-5434 Fax # 321-255-7751
 E-mail: dleslie@creechinc.com

15. Applicant Acknowledgements (Owner’s signature must be notarized)

I certify that: (Check One)

_____ I (we) do hereby certify that I (we) own in fee simple the above referenced described property for which a change in Zoning Classification is requested.

_____ I (we) are not the owner of the above described property; however, the owners signature below authorizes the applicants the authority to act as agent for the owner(s) of record.

[Signature] 11/27/13
 Applicant's Signature Date

4450 EAM GALLIE BLVD, SUITE 232 MELBOURNE 32934
 Address State Zip

321-270-8486 321-255-7751 dleslie@creechinc.com
 Phone Fax E-mail Address

16. Property Owners Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application for a change in zoning classification. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Agent to act in his/her behalf for the purposes of seeking this change to the City' Land Development Regulations for the property described herein.

FIRST SOUTHERN BANK 904/296-7566
 Property Owner's Name (Please Print) Phone

212 PONTE VEDRA PARK ROAD PONTE VEDRA BEACH FL 32082
 Address (OR ADDRESS IN 12. ABOVE) State Zip

[Signature] SVP / ORED MANAGER 11/6/13
 Property Owner's Signature Date

STATE OF FLORIDA)
 ST LUCIE COUNTY)
JOHN S

The foregoing instrument was acknowledged before me this 6 day of NOVEMBER, 2013,

by LEE D. WEDERKIND, Jr. who is personally known to me or has produced

as identification.

[Signature]
 Signature of Notary



| | | |
|----------------------|------------------------------|------------------------|
| OFFICE USE: | | |
| DATE RECEIVED: _____ | Signed: _____ | |
| File Number: _____ | Check No: _____ | Receipt No: _____ |
| TRC Review: _____ | Planning Board Review: _____ | City Commission: _____ |
| Ordinance No: _____ | Date Approved: _____ | |

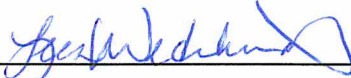
Letter of Authorization

September 20, 2013

RE: Agent Authorization

On behalf of First Southern Bank, the owner of the referenced real property, hereby authorizes and empowers **The Hutton Company, Inc.** and **Creech Engineers, (A Bowman Company)**, to act as its agent(s) to apply for any and all site and building approvals and permits in connection with the development of the property, including but not limited to the South Florida Water Management District, Florida Department of Transportation, Florida Department of Environmental Protection, The City of Fort Pierce, Fort Pierce Utility Authority and to file such applications, papers, documents, variances and special exceptions, requests, and other matters as may be necessary to secure the same.

FIRST SOUTHERN BANK

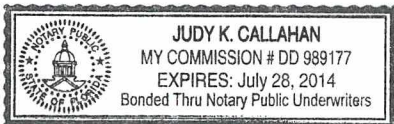
By: 

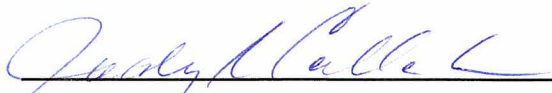
Print: LEE D WEDERIND JR

Title: SVP / OPER MANAGER

STATE OF FLORIDA
COUNTY OF ST JOHN'S

Sworn to and subscribed before me this 20 day of SEPTEMBER, 2013. He/She is personally known to me or who has produced _____ as identification.





Notary Public State of _____

My Commission Expires _____

[Notary Seal]

Legal Description

Parcel 1:

Lots 1, 2 And 3, Less The West 15 Feet Thereof, Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.

Less And Excepting Street Right Of Ways Therefrom.

Parcel 2: 4, 5, 6, 7, 8, 9, 10, Less The West 15 Feet Thereof, The West One-Half Of Lot 11, All In Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.

And

Lots 22 And 23, Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.

Less The Northeasterly 150 Feet Thereof And Being Described As That Portion Of Lots 22 And 23 Lying North Nad East Of A Line Drawn Parallel To The Northeast Line Of Said Lots And 150 Feet Southwest Of Said Northeast Line.



EXHIBIT "A"

Lots 4, 5, 6, 7, 8, 9 and 10, Less the West 14.7 feet thereof; the West one-half (1/2) of Lot 11; and Lots 22 and 23, Less the Northeasterly 150 feet thereof, all in Block 51, Biltmore Park, according to the map or plat thereof, recorded in Plat Book 4, Page 52, of the public records of St. Lucie County, Florida.



St. Lucie County File Date: 04/09/2013

COPY

FIRST SOUTHERN BANK, a Florida
banking corporation,
Plaintiff,

vs.

TOCO TOUCAN, LLC; et al
Defendants.

IN THE CIRCUIT COURT OF THE 19TH
JUDICIAL CIRCUIT, IN AND FOR ST.
LUCIE COUNTY, FLORIDA.

CASE NO. 562012CA 000881

CERTIFICATE OF TITLE

COPY

The undersigned clerk of the court certifies that he or she executed and filed a Certificate of Sale in this action on MARCH 20, 2013, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in St. Lucie County, Florida:

PARCEL 1:

LOTS 1, 2 AND 3, LESS THE WEST 15 FEET THEREOF, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. LESS AND EXCEPTING STREET RIGHT OF WAYS THEREFROM.

PARCEL 2:

COPY

LOTS 4, 5, 6, 7, 8, 9, 10, LESS THE WEST 15 FEET THEREOF, THE WEST ONE-HALF (1/2) OF LOT 11, ALL IN BLOCK 51 BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

AND

LOTS 22 AND 23, BLOCK 51 BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

St. Lucie County File Date: 04/09/2013

LESS THE NORTHEASTERLY 150 FEET THEREOF AND BEING DESCRIBED AS THAT PORTION OF LOTS 22 AND 23 LYING NORTH AND EAST OF A LINE DRAWN PARALLEL TO THE NORTHEAST LINE OF SAID LOTS AND 150 FEET SOUTHWEST OF SAID NORTHEAST LINE.

PARCEL 3:

THE NORTH HALF OF LOTS 1 AND 2, LESS ROAD RIGHT OF WAY CONVEYED IN OFFICIAL RECORDS BOOK 189, PAGE 2790, OF BLOCK 72, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

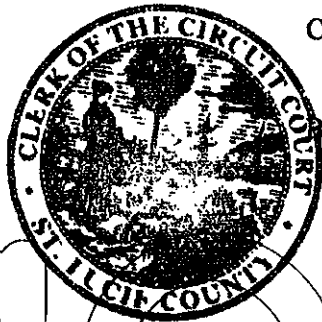
AND

THE SOUTH HALF OF LOTS 1 AND 2, LESS ROAD RIGHT OF WAY CONVEYED IN OFFICIAL RECORDS BOOK 189, PAGE 2792, OF BLOCK 72, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

was sold to First Southern Bank

WITNESS my hand and seal of the Court on April 8th, 2013.

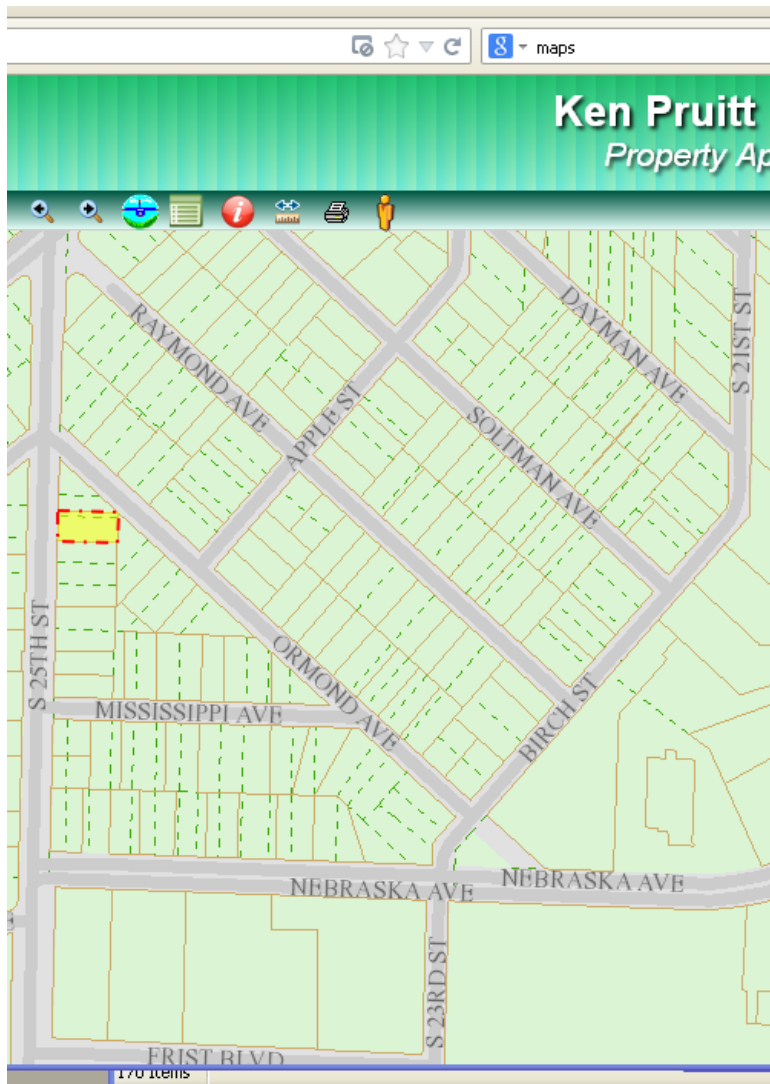
Clerk of Circuit Court



by: Jamaine Ellis
Deputy Clerk

COPY

#100.00/.70



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 1206 S 25th St ParcelID: 2416-602-0160-000-0
 Sec/Town/Range: 16 :35S :40E Account #: 25988
 Map ID: 24/16N Use Type: Vac Res
 Zoning: C1 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: First Southern Bank
 Address: % 1177 SE Third Ave
 Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK S/D BLK 51 S 15 FTDF LOT 2 AND ALL LOT 3-LESS RD RAW- (DR 3506-137)

Sales Information

| Date | Price | Code | Deed | Book/Page | Assessment 2012 | Total Land and Building |
|-----------|---------|------|------|-------------|-------------------|------------------------------|
| 4/8/2013 | 100 | 0312 | CT | 3506 / 0137 | 2012 Final: 67300 | Land Value: 43900 Acres: 0.2 |
| 9/12/2005 | 1200000 | 02 | WD | 2364 / 2485 | Assessed: 67300 | Building Value: 23400 |
| 4/16/2004 | 125000 | 02 | WD | 1951 / 2964 | Ag.Credit: 0 | Finished Area: 0 SqFt |
| 9/9/1992 | 100 | 02 | QC | 0836 / 2321 | Exempt: | |
| 11/1/1983 | 0 | 01 | CV | 0417 / 1828 | Taxable: | |
| 5/1/1977 | 0 | 01 | CV | 0267 / 2902 | Taxes: 1658.71 | |
| 12/1/1975 | 15300 | 00 | CV | 0247 / 0608 | | |

BUILDING INFORMATION

No Sketch Available

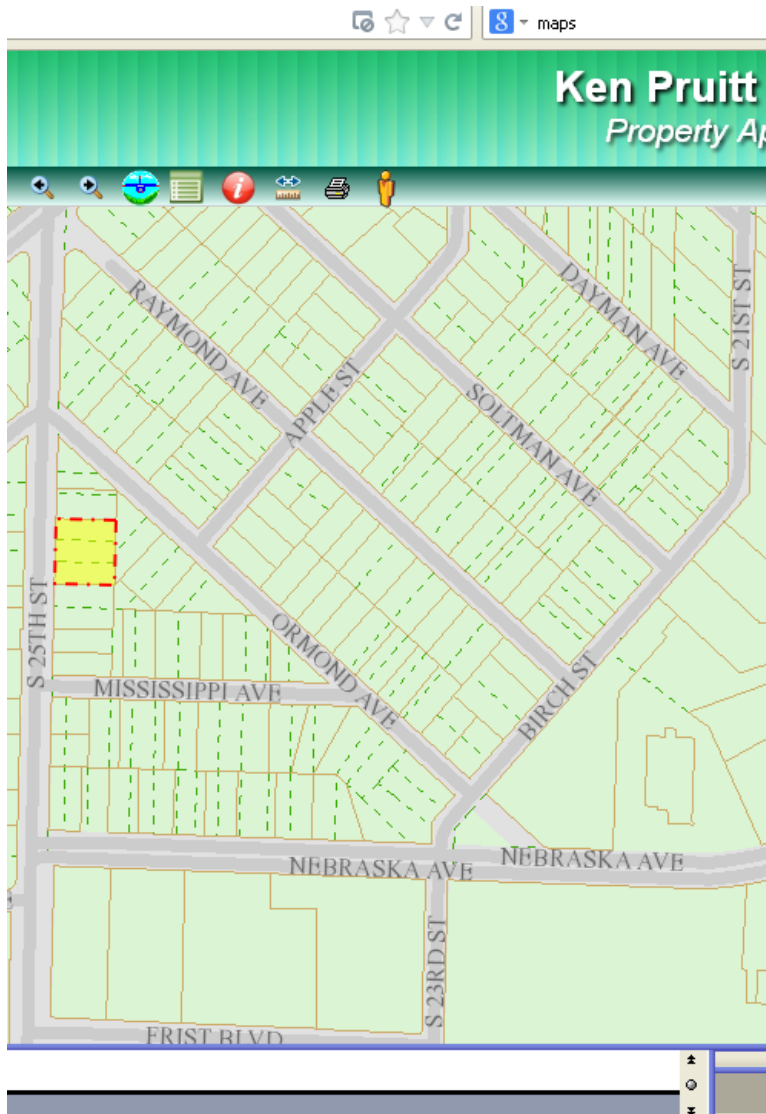


Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Floors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 1210 S 25th St ParcelID: 2416-602-0161-000-7
 Sec/Town/Range: 16 :35S :40E Account#: 25989
 Map ID: 24/16N Use Type: Vac Comm
 Zoning: C1 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: First Southern Bank
 Address: % 1177 SE Third Ave
 Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOTS 4, 5 AND 6-LESS W 14.7 FT. (OR 3506-137)

Sales Information

| Date | Price | Code | Deed | Book/Page | Assessment 2012 | Total Land and Building |
|------------|---------|------|------|-------------|--------------------|--------------------------------|
| 4/8/2013 | 100 | 0312 | CT | 3506 / 0137 | 2012 Final: 101500 | Land Value: 101500 Acres: 0.47 |
| 9/12/2005 | 1200000 | 02 | WD | 2364 / 2485 | Assessed: 101500 | Building Value: 0 |
| 4/22/2004 | 255000 | 02 | WD | 1967 / 0490 | Ag.Credit: 0 | Finished Area: 0 Sqft |
| 7/2/2002 | 210000 | 02 | WD | 1550 / 2989 | Exempt: | |
| 10/22/1994 | 100 | 02 | QC | 0934 / 2792 | Taxable: | |
| 6/24/1994 | 162400 | 02 | WD | 0908 / 0435 | Taxes: 2501.61 | |
| 5/1/1985 | 89000 | 00 | CV | 0463 / 2890 | | |

BUILDING INFORMATION

No Sketch Available



Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

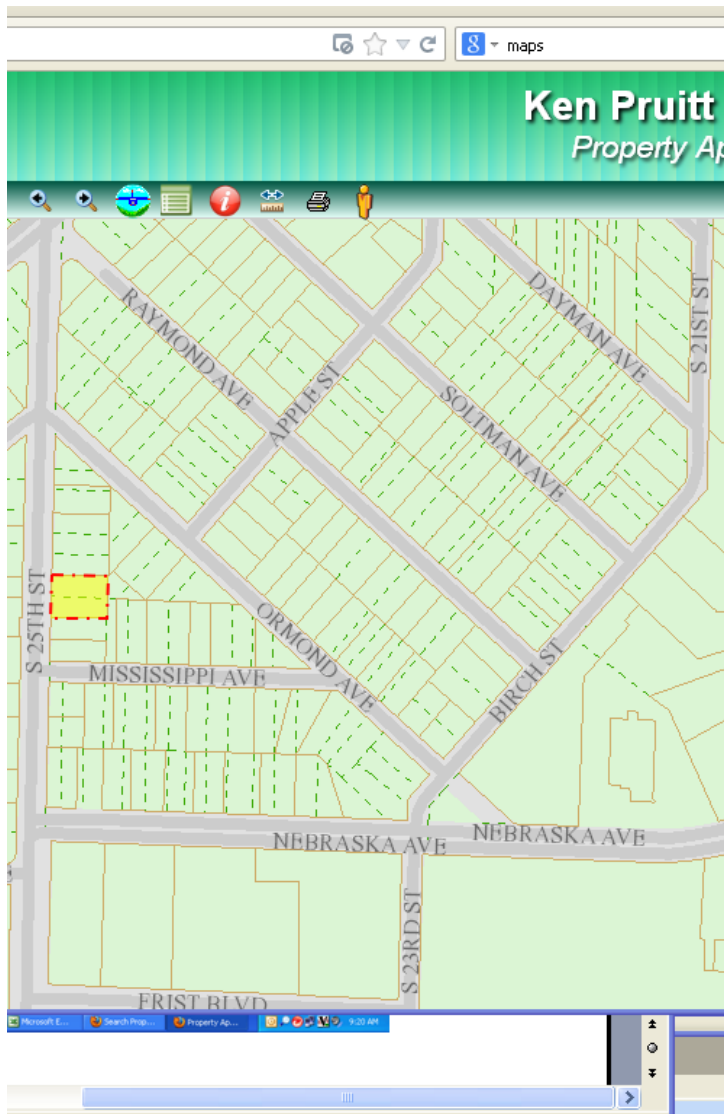
Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Floors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

Land Information

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|--------|-----|----------|------|---------|-------|
|------|-----|------|-------|-------|-------|--------|-----|----------|------|---------|-------|



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 1212 S 25th St ParcelID: 2416-602-0164-000-8
 Sec/Town/Range: 16 :35S :40E Account #: 25990
 Map ID: 24/16N Use Type: Vac Comm
 Zoning: C1 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: First Southern Bank
 Address: % 1177 SE Third Ave
 Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOTS 7 AND 8-LESS W 14.7 FT. (DR 3506-137)

Sales Information

| Date | Price | Code | Deed | Book/Page |
|------------|---------|------|------|-------------|
| 4/8/2013 | 100 | 0312 | CT | 3506 / 0137 |
| 9/12/2005 | 1200000 | 02 | WD | 2384 / 2485 |
| 4/22/2004 | 255000 | 02 | WD | 1967 / 0490 |
| 7/2/2002 | 210000 | 02 | WD | 1550 / 2989 |
| 12/22/1994 | 100 | 02 | QC | 0934 / 2792 |
| 6/24/1994 | 162400 | 02 | WD | 0908 / 0435 |
| 5/1/1985 | 125000 | 02 | CV | 0463 / 2889 |

Assessment 2012

2012 Final: 67700
 Assessed: 67700
 Ag.Credit: 0
 Exempt:
 Taxable:
 Taxes: 1668.55

Total Land and Building

Land Value: 67700 Acres: 0.31
 Building Value: 0
 Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch Available



Exterior Features

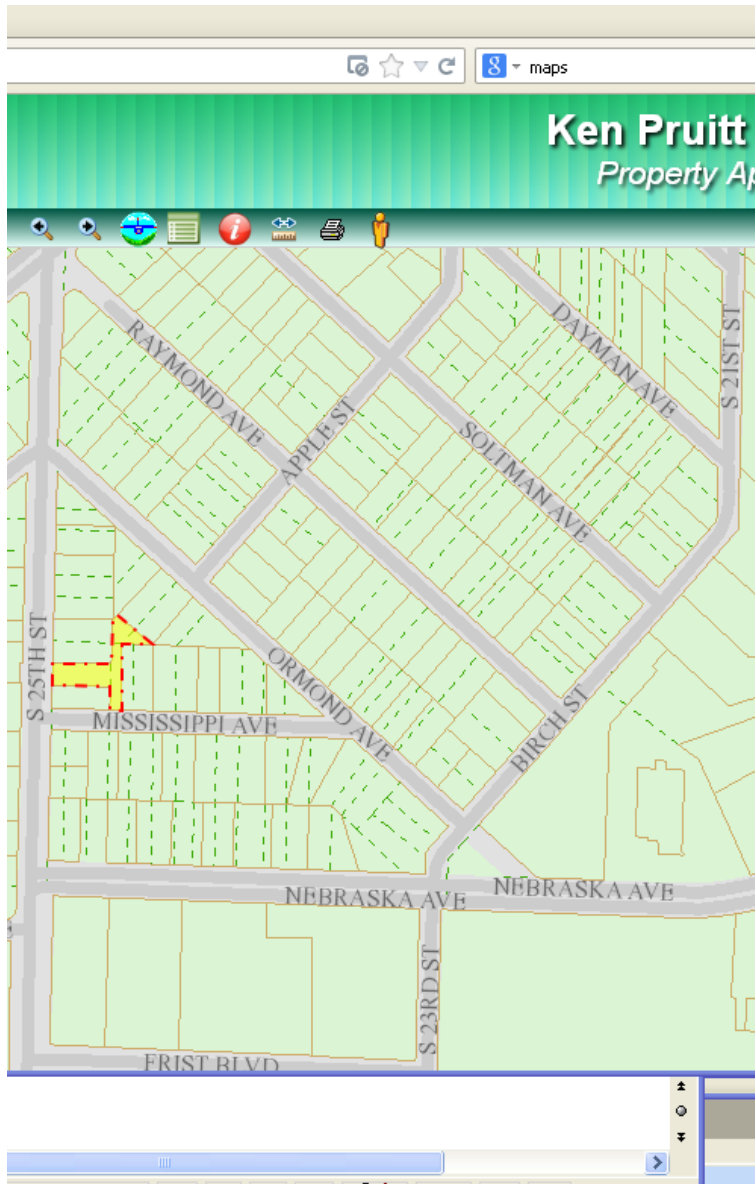
View: - RoofCover: - RoofStruct: -
 ExtType: - YearBlt: - Frame: -
 Grade: - EffYrBlt: - PrimeWall: -
 StoryHght: - No.Units: - SecWall: -

Interior Features

BedRooms: - Electric: - PrmIntWall: -
 FullBath: - HeatType: - AvgHtFl: -
 1/2Bath: - HeatFuel: - Prm.Floors: -
 %A/C: - %Heated: - %Sprinkled: -

Special Features and Yard Items

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|--------|-----|----------|------|---------|-------|
|------|-----|------|-------|-------|-------|--------|-----|----------|------|---------|-------|



Ken Pruitt Property Appraiser

PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 25th St ParcelID: 2416-602-0166-000-2
 Sec/Town/Range: 16 :35S :40E Account#: 25991
 Map ID: 24/16N Use Type: Vac Comm
 Zoning: C1 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: First Southern Bank
 Address: % 1177 SE Third Ave
 Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOT 9-LESS W 14.7 FT- AND W 1/2 OF LOT 11 AND LOTS 22 AND 23-LESS NELY 150 FT-
[More...](#)

Sales Information

| Date | Price | Code | Deed | Book/Page | Assessment 2012 | Total Land and Building |
|------------|---------|------|------|-------------|-------------------|-------------------------------|
| 4/8/2013 | 100 | 0312 | CT | 3506 / 0137 | 2012 Final: 64100 | Land Value: 64100 Acres: 0.29 |
| 9/12/2005 | 1200000 | 02 | WD | 2364 / 2485 | Assessed: 64100 | Building Value: 0 |
| 4/22/2004 | 255000 | 02 | WD | 1967 / 0490 | Ag.Credit: 0 | Finished Area: 0 SqFt |
| 7/2/2002 | 210000 | 02 | WD | 1550 / 2989 | Exempt: | |
| 12/22/1994 | 100 | 02 | QC | 0934 / 2792 | Taxable: | |
| 6/24/1994 | 162400 | 02 | WD | 0908 / 0435 | Taxes: 1579.84 | |
| 5/1/1985 | 125000 | 02 | CV | 0463 / 2889 | | |

BUILDING INFORMATION

No Sketch
Available



Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

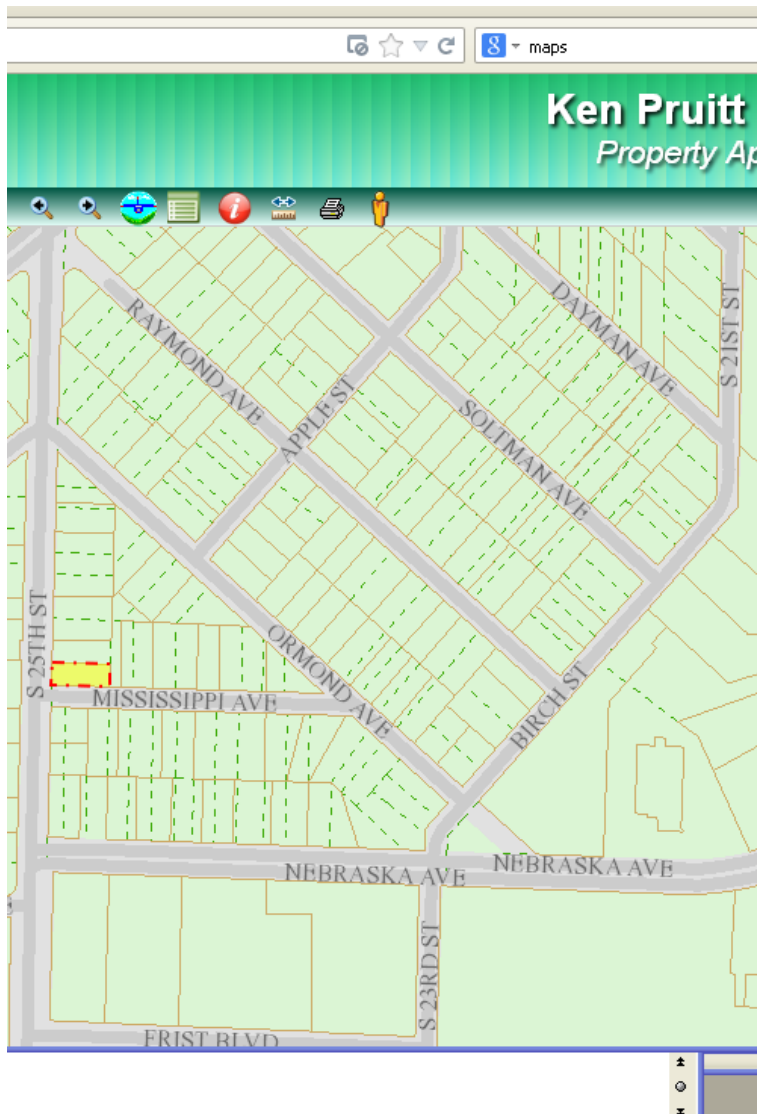
Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHF1: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Flors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

Land Information

| Type | Y/S | Qty. | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Type | Measure | Depth |
|------|-----|------|-------|-------|-------|--------|-----|----------|------|---------|-------|
|------|-----|------|-------|-------|-------|--------|-----|----------|------|---------|-------|



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: S 25th St ParcelID: 2416-802-0167-000-9
 Sec/Town/Range: 16 :35S :40E Account #: 25992
 Map ID: 24/16N Use Type: Vac Comm
 Zoning: C1 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: First Southern Bank
 Address: % 1177 SE Third Ave
 Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOT 10-LESSW 14.7 FT. (OR 3506-137)

Sales Information

| Date | Price | Code | Deed | Book/Page | Assessment 2012 | Total Land and Building |
|------------|---------|------|------|-------------|-------------------|-------------------------------|
| 4/8/2013 | 100 | 0312 | CT | 3506 / 0137 | 2012 Final: 33800 | Land Value: 33800 Acres: 0.16 |
| 9/12/2005 | 1200000 | 02 | WD | 2364 / 2485 | Assessed: 33800 | Building Value: 0 |
| 4/22/2004 | 255000 | 02 | WD | 1967 / 0490 | Ag.Credit: 0 | Finished Area: 0 SqFt |
| 7/2/2002 | 210000 | 02 | WD | 1550 / 2989 | Exempt: | |
| 12/22/1994 | 100 | 02 | QC | 0934 / 2792 | Taxable: | |
| 6/24/1994 | 162400 | 02 | WD | 0908 / 0435 | Taxes: 833.06 | |
| 5/1/1985 | 125000 | 02 | CV | 0463 / 2889 | | |

BUILDING INFORMATION

No Sketch Available



Exterior Features

| | | | | | |
|------------|---|------------|---|-------------|---|
| View: | - | RoofCover: | - | RoofStruct: | - |
| ExtType: | - | YearBlt: | - | Frame: | - |
| Grade: | - | EffYrBlt: | - | PrimeWall: | - |
| StoryHght: | - | No.Units: | - | SecWall: | - |

Interior Features

| | | | | | |
|-----------|---|-----------|---|-------------|---|
| BedRooms: | - | Electric: | - | PrmIntWall: | - |
| FullBath: | - | HeatType: | - | AvgHt/Ft: | - |
| 1/2Bath: | - | HeatFuel: | - | Prm.Floors: | - |
| %A/C: | - | %Heated: | - | %Sprinkled: | - |

Special Features and Yard Items

| Type | Y/S | Qty | Units | Qual. | Cond. | YrBlt. | No. | Use Type | Time | Measure | Depth |
|------|-----|-----|-------|-------|-------|--------|-----|----------|------|---------|-------|
|------|-----|-----|-------|-------|-------|--------|-----|----------|------|---------|-------|

Land Information



4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934

Ph: (321) 255-5434 Fax: (321) 255-7751

November 27, 2013

Sent Via: Overnight Mail

Application for Zoning Atlas Map Amendment
JUSTIFICATION STATEMENT
CEC 13135.00

To Whom It May Concern,

The intent of this application is to rezone a parcel of land to make it eligible for development as a neighborhood retail store of approximately 8320 sq ft. The proposed store will supply the sale of convenience goods to meet some of the primary commercial needs of the residential neighborhood. The property is a part of a commercial corridor with varying degrees of intensities and lies within an existing C-1 (Office Commercial) zoning district. This zoning category, however, does not allow for the desired retail usage (pursuant to Sec. 22-29 [a]). In order to facilitate this development it will be necessary to amend the current zoning atlas. The proposed zoning category is C-2 (Neighborhood Commercial) classification, which is the least intensive zoning that will support the use.

Amending the zoning atlas from a C-1 to a C-2 description will be in keeping with an orderly and logical development pattern. The subject property lies along S 25th Street which currently facilitates a number of existing commercial uses (C-1 and C-3) within a half mile radius. The property is adjacent to a number of C-1 zoned developments as well as being directly adjacent to a moderate density residential (R-3) community. The proposed C-2 classification is a logical zoning for the transition between commercial and residential zoning districts.

A Future Land Use Map Amendment is also being requested concurrently to support the requested Zoning Atlas Map Amendment. The existing future land use designation for the site is Office Professional (OP) which prohibits commercial uses from directly selling, storing, or displaying goods. In order to utilize the C-2 zoning classification the future land use designation would have to be changed to the Neighborhood Commercial (NC) description to support the uses under that zoning. As previously stated the change in zoning follows a logical pattern in the development of the area and likewise the amended future land use designation of NC, being adjacent to both commercial and residential developments, will continue with the same development pattern. Additionally, the NC designation will be consistent with the comprehensive plan as it is in keeping with both the order of development and the surrounding future land uses. Future land use designations within a half mile radius include RL (Low Residential), GC (General Commercial), and OP (Office Professional). The NC category will be an appropriate transition between the neighboring designations and will also provide compatibility with the existing surrounding land use designations.

It is with reference to the above statements, that these requests are being respectfully submitted to amend the Zoning Atlas Map and the Future Land Use Map for the subject property development.



4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934

Ph: (321) 255-5434 Fax: (321) 255-7751

If you need any additional information or would like to discuss this project in further detail, please contact us by phone at (321) 270-8986 or email me at dleslie@creechinc.com.

Sincerely,

Daimian Leslie, PE
Project Manager



4450 W. Eau Gallie Blvd., Suite 232
Melbourne, FL 32934
Tel : 321-255-5434
Direct: 321-270-8986



ENVIRONMENTAL ASSESSMENT

On the

**±1.66 Acre Family Dollar – Ft. Pierce Project Site
Section 16, Township 35 South, Range 40 East
Ft. Pierce, St. Lucie County, Florida**

Conducted for

**Mr. Chuck Borysiak
Hutton Construction, Inc.
736 Cherry Street
Chattanooga, Tennessee 37402**

Conducted by

**Atlantic Environmental Solutions, Inc.
1301 W. Eau Gallie Boulevard, Suite 98
Melbourne, Florida 32935**

September 6, 2013



1301 W. Eau Gallie Blvd., Ste. 98  Melbourne, FL 32935

ph 321.676.1505 fx 321.676.1730
www.environmentalpermitting.com

September 6, 2013

Mr. Chuck Borysiak
Hutton Construction, Inc.
736 Cherry Street
Chattanooga, Tennessee 37402

Re: Environmental Assessment
±1.66 acre Family Dollar – Ft. Pierce Project Site
South 25th Street, Ft. Pierce
St. Lucie County, Florida
AES File No. 1399

Dear Mr. Borysiak:

Atlantic Environmental Solutions, Inc. (AES) has completed an environmental assessment and feasibility study of the above-referenced property, an approximately 1.66 acre parcel of land located on the east side of South 25th Street between Ormond Avenue and Mississippi Avenue, Ft. Pierce, in St. Lucie County, Florida (Figures 1 and 2). The field assessment of this parcel, hereinafter referred to as "the Property", occurred on September 5, 2013. This study is intended to assess any reasonably ascertainable environmental issues that might have an affect on the developability of the subject property. Following are the results of our study.

Topography and Soils

Figure 3 shows the USGS Topographical Map for the Property and surrounding areas. According to this map, the Property is relatively flat and used to contain several single-family homes which are no longer present.

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) maps for Brevard County (Figure 4) depict two soil types underlying the Property. Following is a description of the mapped soil types as they occur in a natural environment.

Tantile and Pomona sands (44)

Tantile and Pomona sands is a poorly drained, nearly level soil typically found in flatwoods. the water table is within a depth of 10 inches for 2 to 4 months and between depths of 10 to 40 inches for 6 months or more during most years.

Waveland – Urban land complex (52)

Nearly level Waveland soils make up 50 to 70 percent of the complex, and Urban land makes up 15 to 50 percent. In undrained areas, the soils in this complex have a water

table within a depth of 10 inches for 1 to 4 months of most years. However, drainage systems have been established in most areas and depth to the water table depends upon the efficiency of the drainage system.

Past development and human activity surrounding and within the Property appears to have altered some of the characteristics possessed by the underlying soils. However, for the most part, the soils underlying the Property appear consistent with the above descriptions.

Vegetation and Community Types

Different combinations of natural and human-influenced factors, such as surface elevation, hydrology, vegetative species and structure, soil characteristics, and degree and type of historical disturbance, will give rise to a variety of distinct ecological systems and functions, known as communities and land uses. The Florida Land Use, Cover, and Forms Classification System (FLUCFCS) organizes most of the major categories of communities and land uses into particular descriptions, each corresponding to a different code number. Using our field observations and the FLUCFCS system as a guideline, AES has identified the on-site community as it currently exists on the Property. Figure 5 depicts the code number of the on-site FLUCFCS category, specifically, Undeveloped Land Within Urban Areas (FLUCFCS Code Number 191).

Following is a description of this classification, as it exists on the Property, along with an assessment of the jurisdictional wetland status based on the rules and regulations of the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers (ACOE).

Undeveloped Land Within Urban Areas (191)

The entire site can be designated this land use classification. It appears single-family homes used to be present within the project site which is evident from historical photography as well as the presence of concrete pieces scattered around the site. The entire property appears to have been maintained (i.e. mowed) for many years and vegetation is dominated by a groundcover of bahiagrass, Mexican clover, and opportunistic weedy species. Also present around the perimeter of the Property are scattered live oak, laurel oak, and sea grape.

This community type consists of upland habitat and will require no wetland permitting.

Habitat Potential for Protected Wildlife Species

A preliminary survey for listed species and suitable listed species habitats was completed on the Property. This survey resulted in the determination that the Property does not support any listed species.

Summary & Conclusions

The results of our survey indicate that the ±1.66 acre Property is comprised solely of uplands and does not contain any state or federally listed species. No wetland or wildlife permitting will be necessary in the development of this site.

Should you have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,

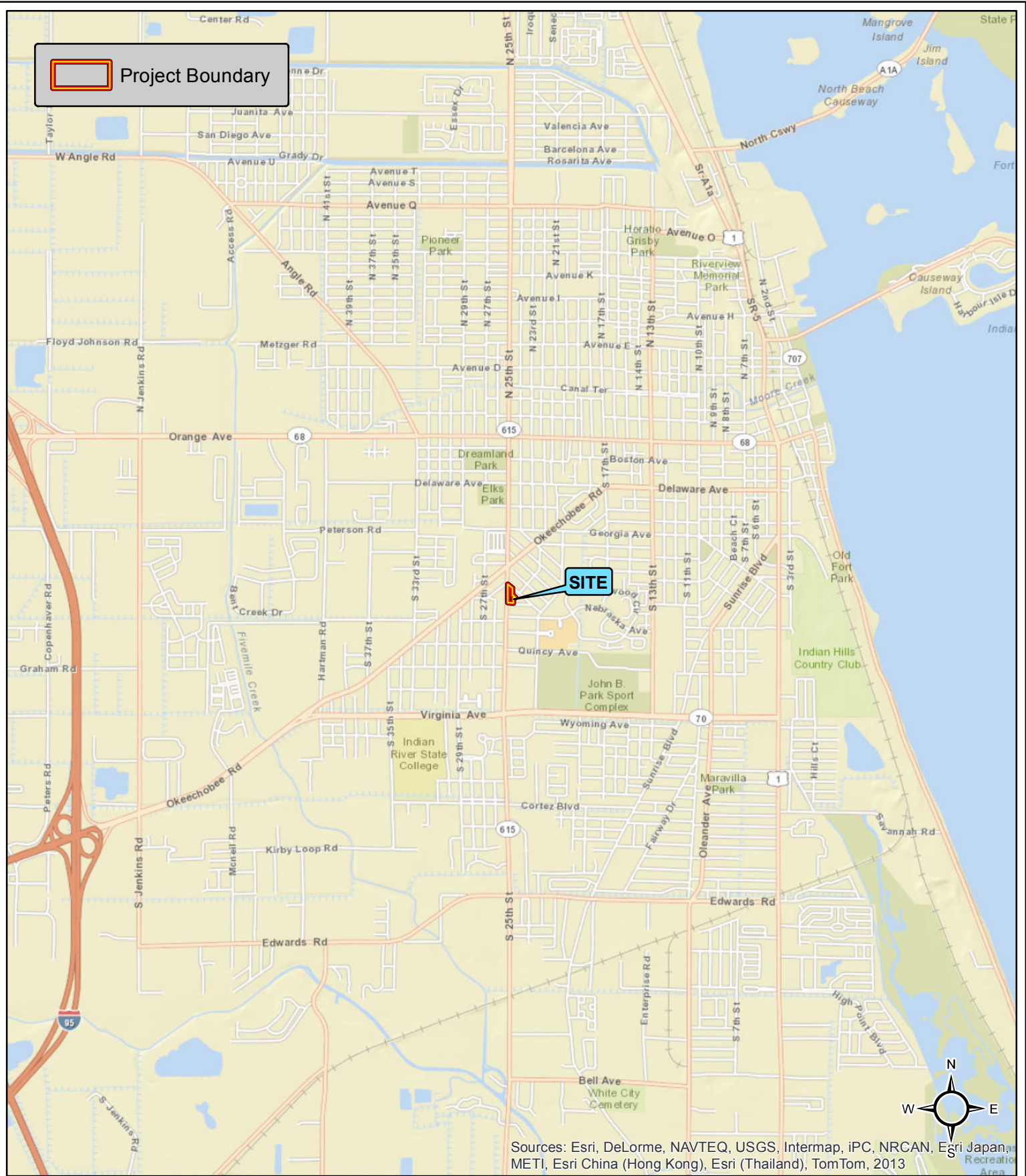


David G. Purkerson, MS, PWS
Senior Ecologist



Jon H. Shepherd, MS, PWS
President/Ecologist

Dist: Mr. Damian Leslie – Creech Engineers, Inc.



Project: Family Dollar - Ft. Pierce

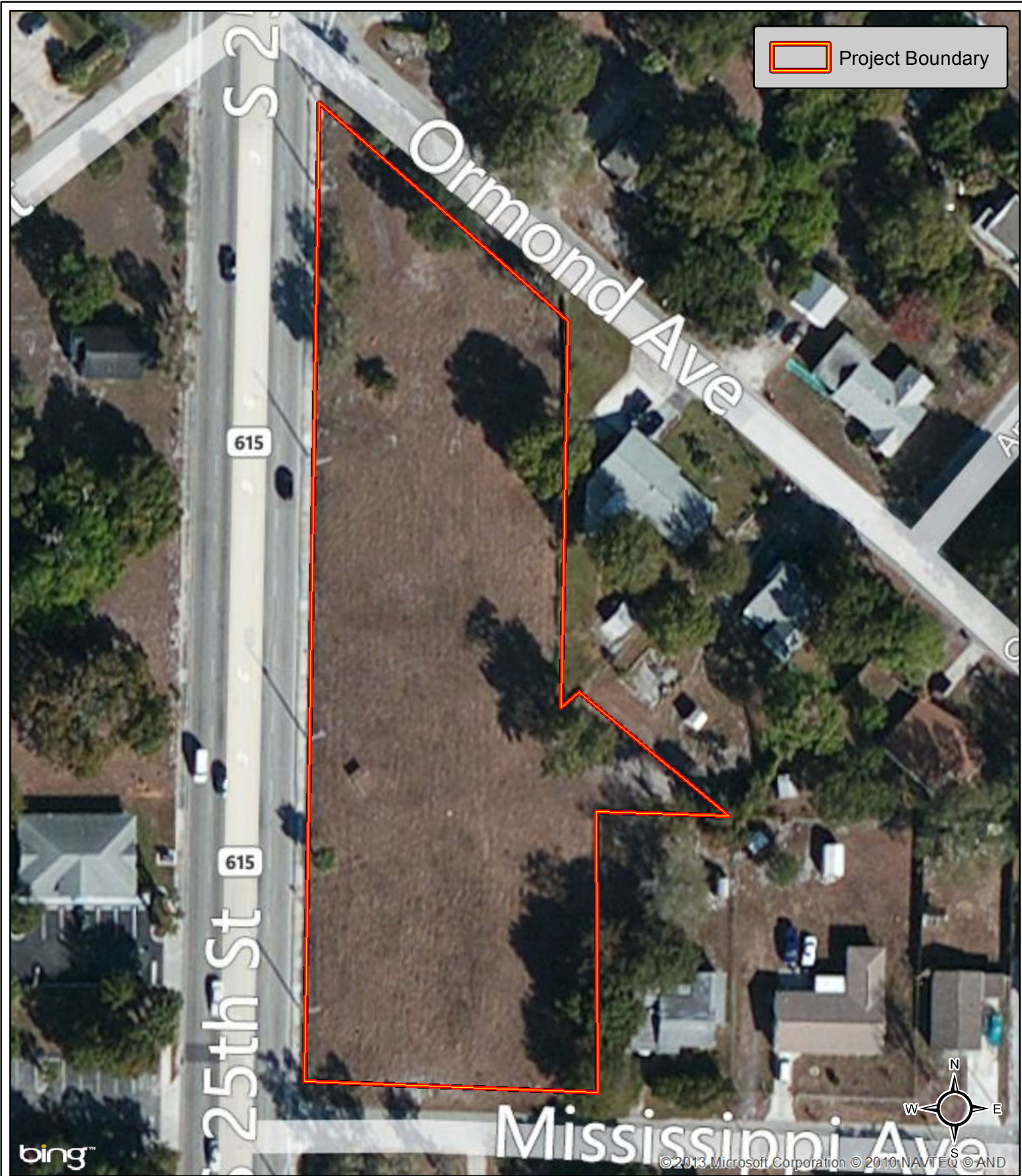
Figure 1: Location Map



St. Lucie County, Florida

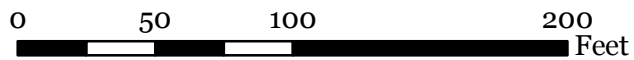


AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

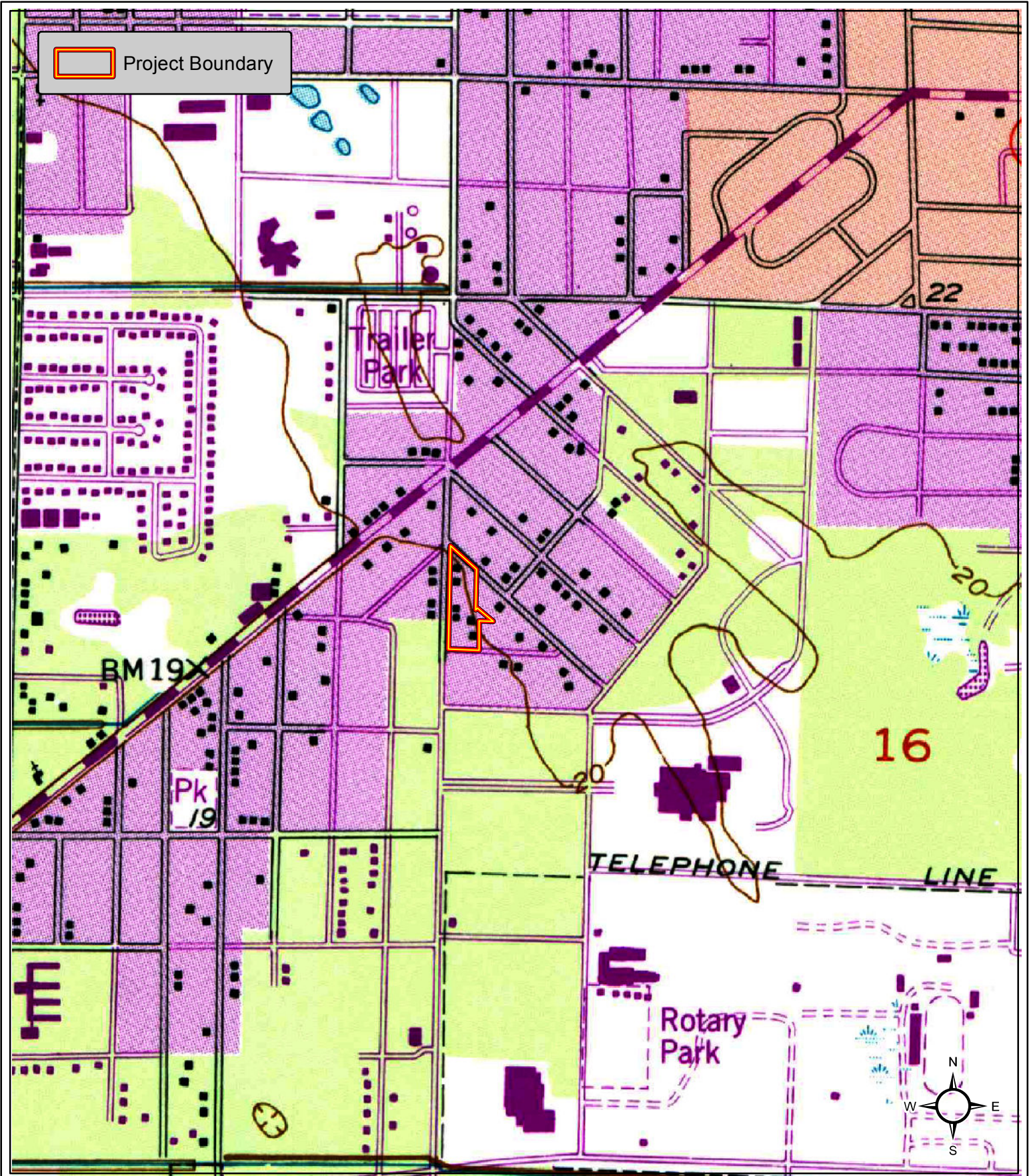
Figure 2: Property Map



2011 Aerial, St. Lucie County, Florida

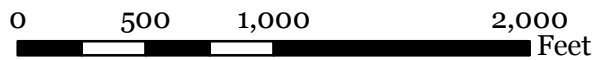


AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

Figure 3: USGS Topo Map



Ft. Pierce Quadrangle, St. Lucie County, Florida



AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

Figure 4: NRCS Soils Map





Project: Family Dollar - Ft. Pierce

Figure 5: Land Use (FLUCFCS) Map

0 50 100 200 Feet

2011 Aerial, St. Lucie County, Florida



AES Proj #: 1399



McMAHON ASSOCIATES, INC.
5500 Village Blvd | Suite 103 | West Palm Beach, FL 33407
p 561-840-8650 | f 561-840-8590
www.mcmtrans.com

August 30, 2013

VIA E-MAIL

Mr. Chuck Borysiak, Development Manager
The Hutton Company
736 Cherry Street
Chattanooga, TN 37402

**RE: Family Dollar Fort Pierce Traffic Analysis
McMahon Project No. N13565.01**

Dear Mr. Borysiak:

McMahon Associates, Inc. (McMahon) has completed a traffic analysis for a parcel of land located at 1210 S. 25th Street, in Fort Pierce. The site is currently vacant. The proposed development, with an anticipated buildout year of 2014, will include an 8,320 square-foot Family Dollar.

Trip Generation Analysis

Using trip generation information obtained from the Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 9th Edition, trip generation estimates were developed for the proposed development. A pass-by rate was not available from ITE for Land Use 814 Variety Store. Therefore, the pass-by capture rate for the proposed land use was based on the pass-by rate for Land Use 815 Free Standing Discount Store. The trip generation analysis, summarized in **Table 1**, indicates that the proposed development is anticipated to result in 442 new daily trips, 27 new AM peak hour trips and 47 new PM peak hour trips. Excerpts from ITE are attached in **Appendix A**.

Site Access

Access to the site is proposed via one (1) full access driveway connection to each of the following roadways: S. 25th Street, Mississippi Avenue and Ormond Avenue.

Project Distribution and Assignment

The project trip distribution for the proposed development, graphically depicted on **Figure 1**, was based on a review of the surrounding roadway network volumes and land uses. Driveway volumes, shown on Figure 1, were assigned to the driveway connections based on the trip generation and trip distribution analyses.

PRINCIPALS
Joseph W. McMahon, P.E.
Joseph J. DeSantis, P.E., PTOE
John S. DePalma
William T. Steffens
Casey A. Moore, P.E.
Gary R. McNaughton, P.E., PTOE

ASSOCIATES
John J. Mitchell, P.E.
Christopher J. Williams, P.E.
R. Trent Ebersole, P.E.
Matthew M. Kozsuch, P.E.

TABLE 1
TRIP GENERATION ANALYSIS
FAMILY DOLLAR FORT PIERCE TRAFFIC ANALYSIS

DAILY

| LAND USE | ITE CODE | INTENSITY | TRIP GENERATION RATE ⁽¹⁾ | IN | OUT | TOTAL TRIPS | | | PASS-BY ⁽²⁾ | | NEW TRIPS | | | |
|------------------------------|----------|-----------|-------------------------------------|-----|-----|-------------|-----|-------|------------------------|--------|-----------|-----|-------|--|
| | | | | | | IN | OUT | TOTAL | | | IN | OUT | TOTAL | |
| PROPOSED USE | | | | | | | | | | | | | | |
| Variety Store ⁽³⁾ | 814 | 8,320 SF | T = 64.03 (X) | 50% | 50% | 267 | 266 | 533 | 91 | 17.00% | 221 | 221 | 442 | |

AM PEAK HOUR

| LAND USE | ITE CODE | INTENSITY | TRIP GENERATION RATE ⁽¹⁾ | IN | OUT | TOTAL TRIPS | | | PASS-BY ⁽²⁾ | | NEW TRIPS | | | |
|------------------------------|----------|-----------|-------------------------------------|-----|-----|-------------|-----|-------|------------------------|--------|-----------|-----|-------|--|
| | | | | | | IN | OUT | TOTAL | | | IN | OUT | TOTAL | |
| PROPOSED USE | | | | | | | | | | | | | | |
| Variety Store ⁽³⁾ | 814 | 8,320 SF | T = 3.81 (X) | 50% | 50% | 16 | 16 | 32 | 5 | 17.00% | 14 | 13 | 27 | |

PM PEAK HOUR

| LAND USE | ITE CODE | INTENSITY | TRIP GENERATION RATE ⁽¹⁾ | IN | OUT | TOTAL TRIPS | | | PASS-BY ⁽²⁾ | | NEW TRIPS | | | |
|------------------------------|----------|-----------|-------------------------------------|-----|-----|-------------|-----|-------|------------------------|--------|-----------|-----|-------|--|
| | | | | | | IN | OUT | TOTAL | | | IN | OUT | TOTAL | |
| PROPOSED USE | | | | | | | | | | | | | | |
| Variety Store ⁽³⁾ | 814 | 8,320 SF | T = 6.82 (X) | 50% | 50% | 29 | 28 | 57 | 10 | 17.00% | 24 | 23 | 47 | |

(1) Source: Institute of Transportation Engineers, Trip Generation Manual, 9th Edition.

(2) Pass-by rate for LU 814 based on Pass-by rate for LU 815 since no information is provided for LU 814.

(3) IN/OUT split for AM and PM peak hours based on daily IN/OUT split since no information is provided for the peak hours.



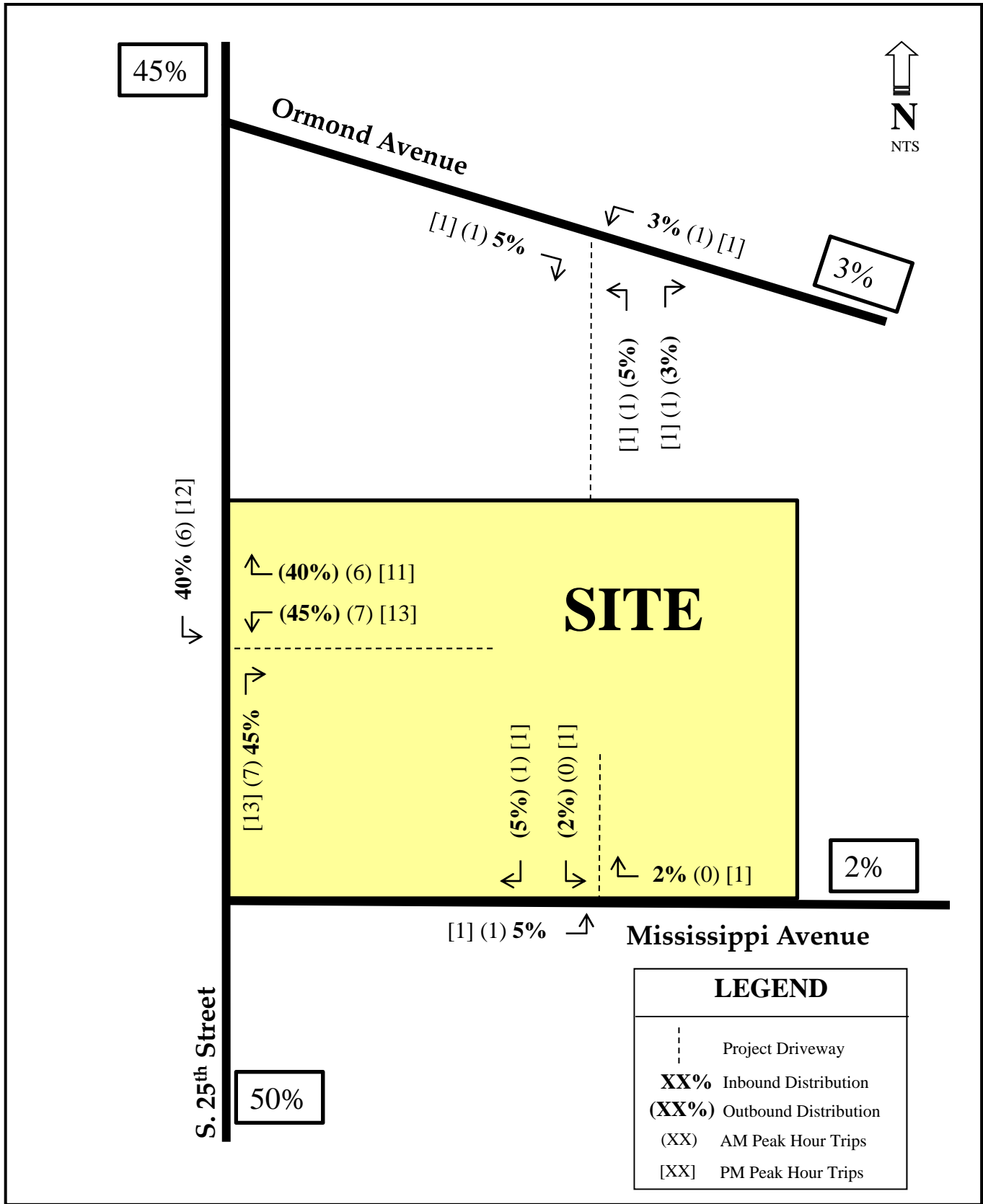


Figure 1
Project Distribution and Driveway Traffic Volumes
Family Dollar Fort Pierce Traffic Analysis
Fort Pierce, Florida

Mr. Chuck Borysiak

August 30, 2013

Page 4

Roadway Capacity Analysis

S. 25th Street is a four-lane, undivided roadway with a center two-way, left-turn lane. S. 25th Street near the project site currently operates at Level of Service B during both the AM and PM peak hours based on the latest traffic counts provided by the St. Lucie County Transportation Planning Organization. With the minor increase in traffic anticipated from the proposed development, S. 25th Street is expected to continue to operate at an acceptable level of service.

Conclusion

Based on the analysis contained herein, the proposed development is expected to result in minimal impact to the surrounding roadway network. S. 25th Street is anticipated to operate at an acceptable level of service at the buildout of the project.

Sincerely,



Natalia T. Lercari, P.E.

Project Manager

NTL/hsv

Attachments

APPENDIX A

TRIP GENERATION INFORMATION

Variety Store (814)

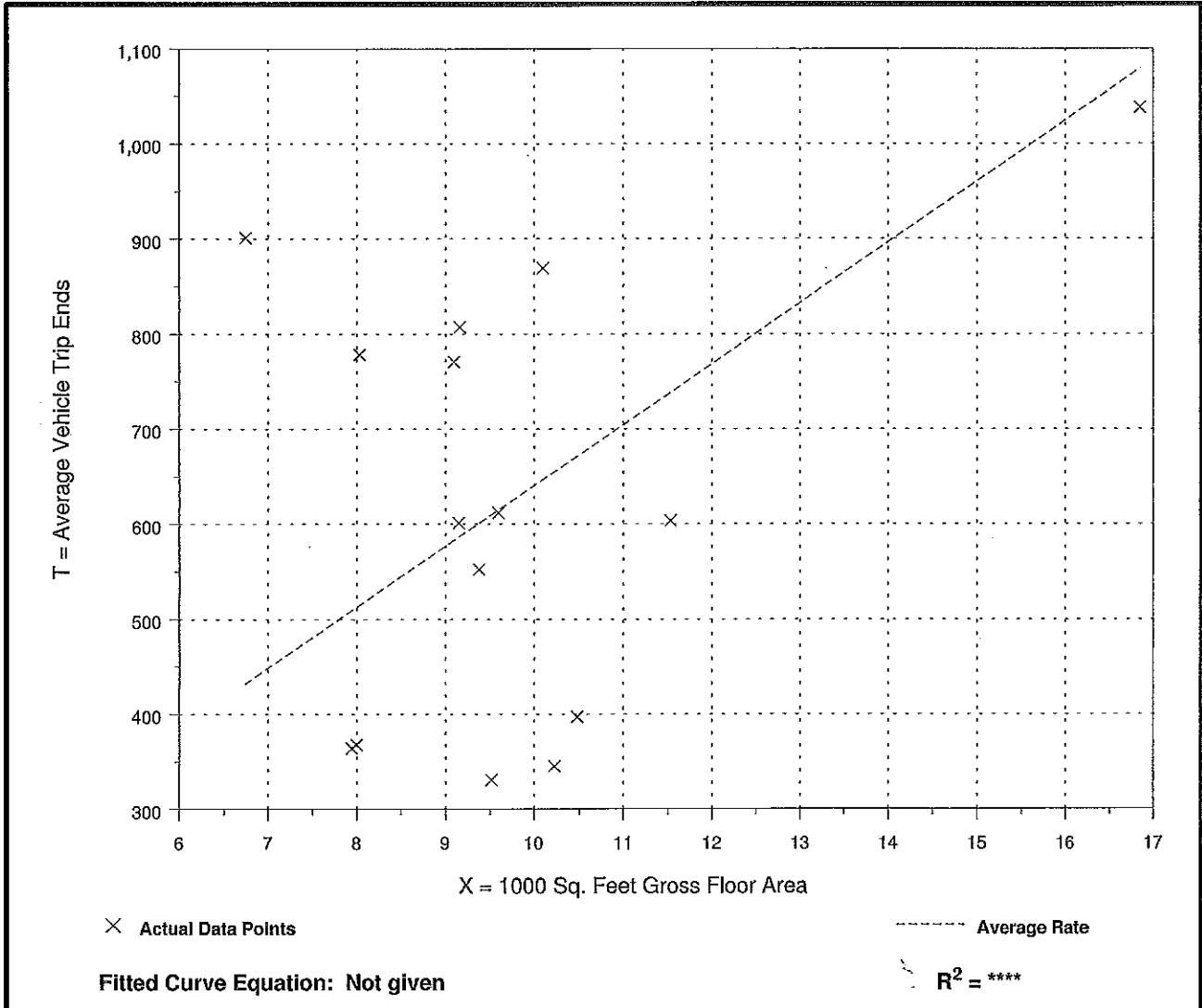
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday

Number of Studies: 15
 Average 1000 Sq. Feet GFA: 10
 Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 64.03 | 33.73 - 133.60 | 25.69 |

Data Plot and Equation



Variety Store (814)

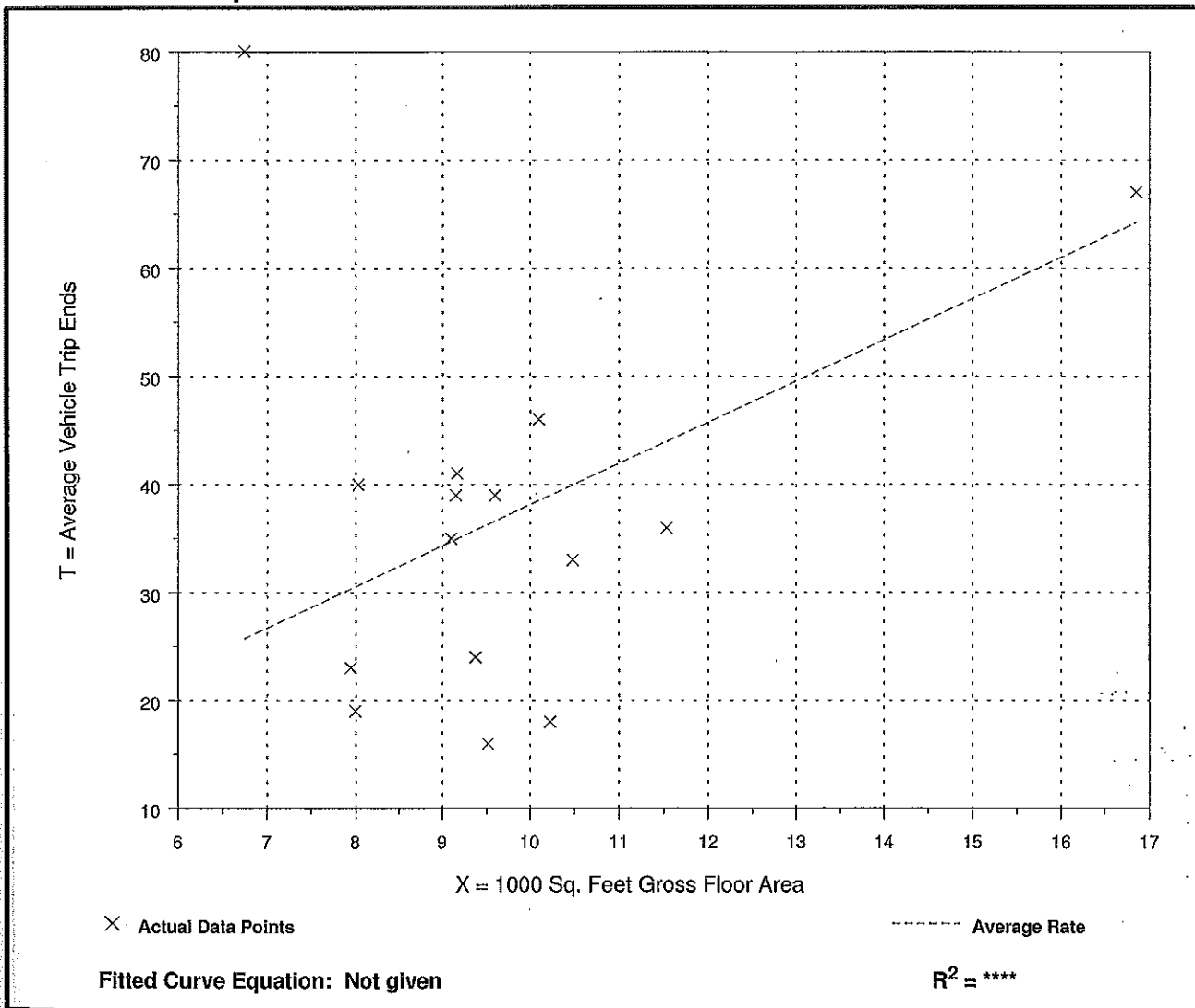
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 15
 Average 1000 Sq. Feet GFA: 10
 Directional Distribution: Not available

Trip Generation per 1000 Sq. Feet Gross Floor Area

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 3.81 | 1.68 - 11.86 | 2.74 |

Data Plot and Equation



Variety Store (814)

Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.

Number of Studies: 15
 Average 1000 Sq. Feet GFA: 10
 Directional Distribution: Not available

Trip Generation per 1000 Sq. Feet Gross Floor Area

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 6.82 | 3.15 - 13.94 | 3.80 |

Data Plot and Equation

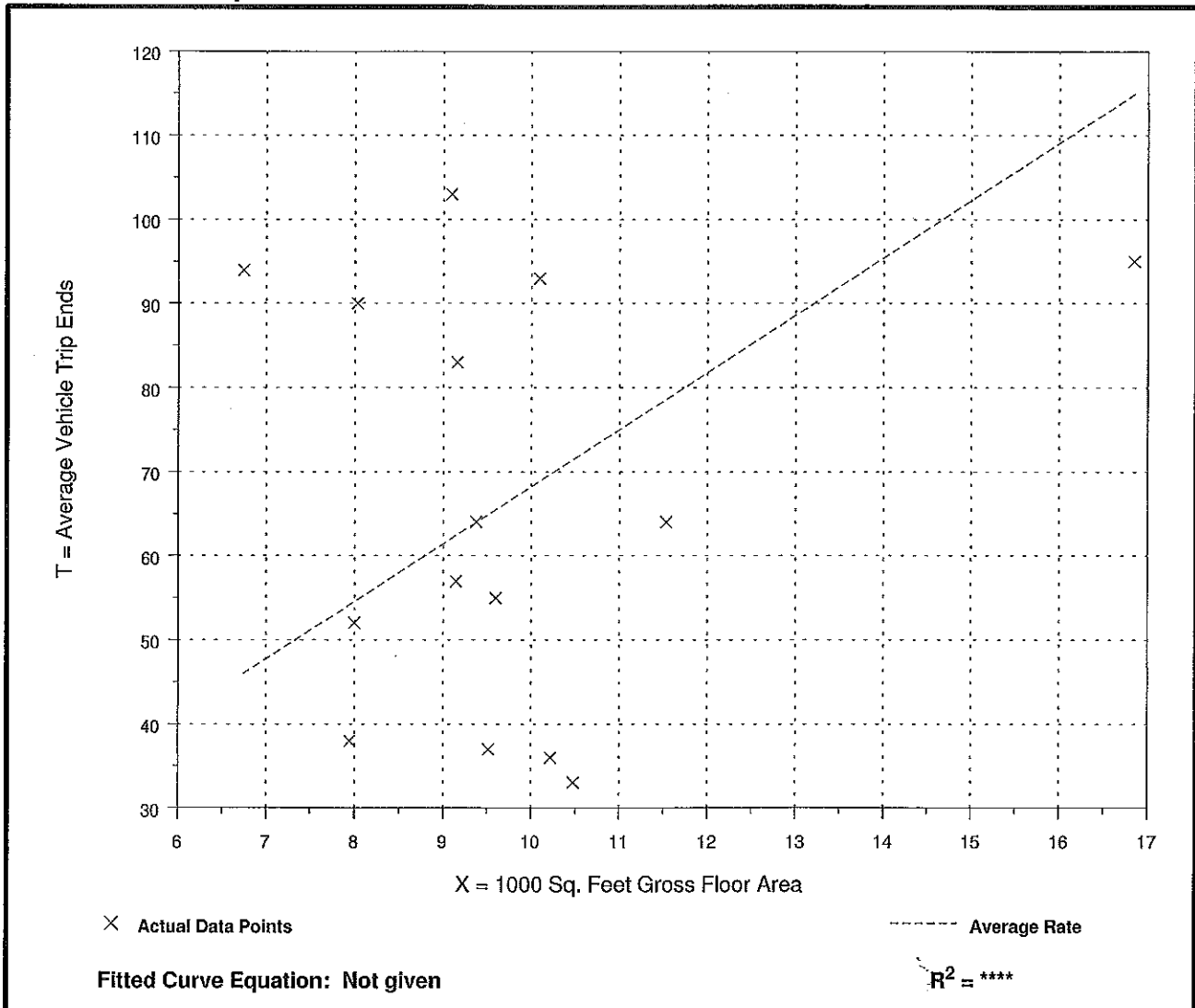


Table 5.3
Pass-By Trips and Diverted Linked Trips
Weekday, p.m. Peak Period
Land Use 815—Free-Standing Discount Store

| SIZE (1,000 SQ. FT. GFA) | LOCATION | WEEKDAY SURVEY DATE | NO. OF INTERVIEWS | TIME PERIOD | PRIMARY TRIP (%) | NON-PASS- BY TRIP (%) | DIVERTED LINKED TRIP (%) | PASS-BY TRIP (%) | ADJ. STREET PEAK HOUR VOLUME | SOURCE |
|--------------------------------|------------------|---------------------------|----------------------|----------------|---------------------|-----------------------------|--------------------------------|---------------------|------------------------------------|--------------------------------|
| 116 | Auburn, NY | Nov. 1994 | 80 | 4:00-6:00 p.m. | 33.8 | — | 37.4 | 28.8 | 1,490 | Bergmann Associates |
| 116 | Fredonia, NY | Nov. 1994 | 80 | 4:00-6:00 p.m. | 46.3 | — | 30.0 | 23.7 | 1,620 | Bergmann Associates |
| 122 | Marlton, NJ | Nov. 1994 | 73 | 4:15-5:15 p.m. | 50.7 | — | 27.4 | 21.9 | 1,360 | Raymond Keyes Assoc. |
| 127 | Marlton, NJ | Nov. 1994 | 23 | 4:00-5:00 p.m. | 21.8 | — | 39.1 | 39.1 | 1,410 | Raymond Keyes Assoc. |
| 127 | Toms River, NJ | Nov. 1994 | 137 | 4:00-5:00 p.m. | 46.0 | — | 40.9 | 13.1 | 1,430 | Raymond Keyes Assoc. |
| 128 | Toms River, NJ | Nov. 1994 | 89 | 4:00-5:00 p.m. | 60.7 | — | 32.6 | 6.7 | 1,290 | Raymond Keyes Assoc. |
| 128 | Brick, NJ | Nov. 1994 | 48 | 4:15-5:15 p.m. | 41.7 | — | 50.0 | 8.3 | 2,560 | Raymond Keyes Assoc. |
| 128 | Brick, NJ | Nov. 1994 | 56 | 4:00-5:00 p.m. | 46.4 | — | 39.3 | 14.3 | 2,550 | Raymond Keyes Assoc. |
| 126 | Berlin, NJ | Feb. 1994 | 45 | 4:30-5:30 p.m. | 75.5 | — | 17.8 | 6.7 | 1,230 | Raymond Keyes Assoc. |
| 126 | Berlin, NJ | Feb. 1994 | 95 | 4:00-5:00 p.m. | 61.0 | — | 37.9 | 1.1 | 1,430 | Raymond Keyes Assoc. |
| 133 | Mays Landing, NJ | Feb. 1994 | 22 | 4:00-5:00 p.m. | 81.8 | — | 9.1 | 9.1 | 3,640 | Raymond Keyes Assoc. |
| 133 | Mays Landing, NJ | Feb. 1994 | 40 | 4:00-5:00 p.m. | 55.0 | — | 42.5 | 2.5 | 3,700 | Raymond Keyes Assoc. |
| 127 | Toms River, NJ | Sept. 1994 | 58 | 4:00-5:00 p.m. | 65.5 | — | 20.7 | 13.8 | 1,380 | Raymond Keyes Assoc. |
| 127 | Toms River, NJ | Sept. 1994 | 83 | 4:15-5:15 p.m. | 57.8 | — | 28.9 | 13.3 | 1,390 | Raymond Keyes Assoc. |
| 128 | Brick, NJ | Sept. 1994 | 117 | 4:30-5:30 p.m. | 47.0 | — | 26.5 | 26.5 | 2,640 | Raymond Keyes Assoc. |
| 128 | Brick, NJ | Sept. 1994 | 98 | 4:00-5:00 p.m. | 49.0 | — | 21.4 | 29.6 | 2,640 | Raymond Keyes Assoc. |
| 127 | Berlin, NJ | Sept. 1994 | 35 | 4:00-5:00 p.m. | 71.4 | — | 20.0 | 8.6 | 1,240 | Raymond Keyes Assoc. |
| 88 | Omaha, NE | n/a | n/a | 4:00-6:00 p.m. | 26.0 | — | 51.0 | 23.0 | n/a | University of Nebraska—Lincoln |
| 100 | Omaha, NE | n/a | n/a | 4:00-6:00 p.m. | 32.0 | — | 46.0 | 22.0 | n/a | University of Nebraska—Lincoln |
| 100 | Omaha, NE | n/a | n/a | 4:00-6:00 p.m. | 22.0 | — | 49.0 | 29.0 | n/a | University of Nebraska—Lincoln |
| 88 | Omaha, NE | n/a | n/a | 4:00-6:00 p.m. | 33.0 | — | 48.0 | 19.0 | n/a | University of Nebraska—Lincoln |
| 66 | Omaha, NE | n/a | n/a | 4:00-6:00 p.m. | 21.0 | — | 60.0 | 19.0 | n/a | University of Nebraska—Lincoln |

Average Pass-By Trip Percentage: 17

SUNSHINE STATE ONE CALL TICKET 219307961

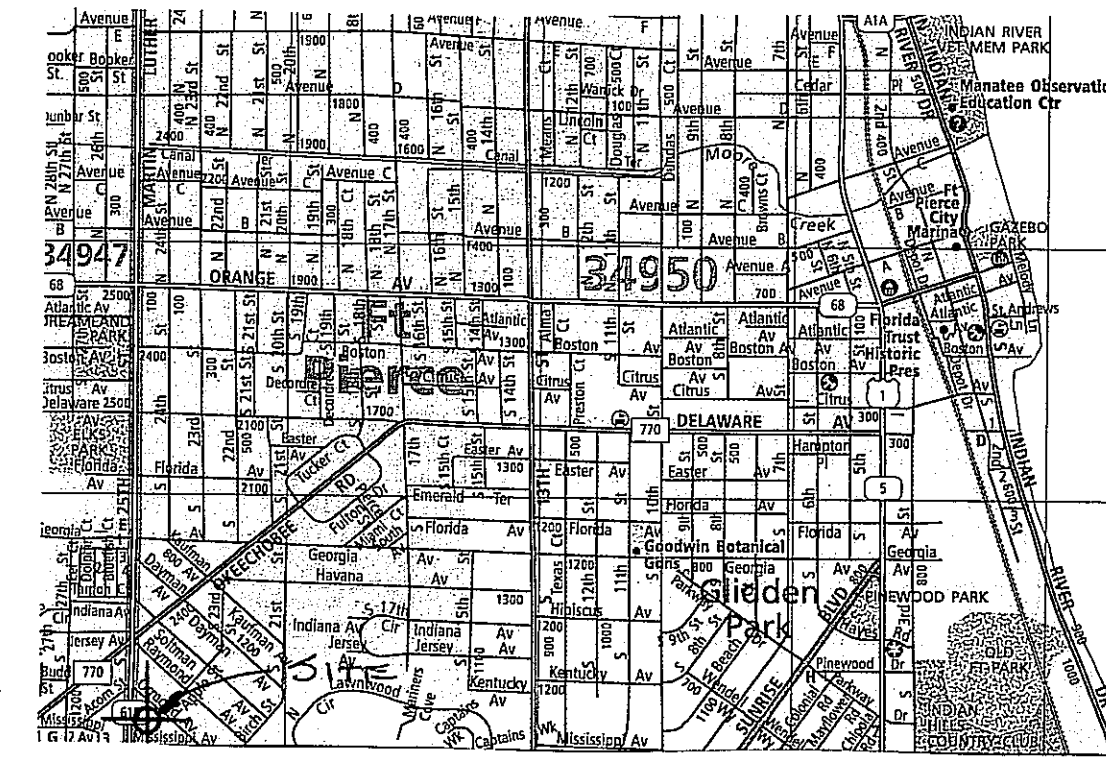
| SERVICE AREA: | RESPONSE: | CONTACT: | TELEPHONE: | UTILITY TYPE: |
|--------------------------------|-----------|--------------------------|--------------------|-----------------------------|
| FT. PIERCE UTILITIES AUTHORITY | MARKED | CENTRAL LOCATING SERVICE | 888-778-8140 | CITY & FIBER |
| A&T / DISTRIBUTION | MARKED | TRUCK WILLIAMS | 772-460-2000 X 400 | TRAFFIC SIGNALS/STORM DRAIN |
| CONDUIT CABLE | MARKED | ARVINE EST 6209 | 772-468-8000 | WATER/SEWER/RAV/ELECTRIC |
| CITY OF FORT PIERCE | MARKED | USC 6584101 | 888-778-8140 | TELEPHONE |

SUNSHINE STATE ONE CALL TICKET 219308003

| SERVICE AREA: | RESPONSE: | CONTACT: | TELEPHONE: | UTILITY TYPE: |
|--------------------------------|-----------|--------------------------|--------------------|-----------------------------|
| FT. PIERCE UTILITIES AUTHORITY | MARKED | CENTRAL LOCATING SERVICE | 888-778-8140 | CITY & FIBER |
| A&T / DISTRIBUTION | MARKED | TRUCK WILLIAMS | 772-460-2000 X 400 | TRAFFIC SIGNALS/STORM DRAIN |
| CONDUIT CABLE | MARKED | ARVINE EST 6209 | 772-468-8000 | WATER/SEWER/RAV/ELECTRIC |
| CITY OF FORT PIERCE | MARKED | USC 6584101 | 888-778-8140 | TELEPHONE |

SUNSHINE STATE ONE CALL TICKET 219308037

| SERVICE AREA: | RESPONSE: | CONTACT: | TELEPHONE: | UTILITY TYPE: |
|--------------------------------|-----------|--------------------------|--------------------|-----------------------------|
| FT. PIERCE UTILITIES AUTHORITY | MARKED | CENTRAL LOCATING SERVICE | 888-778-8140 | CITY & FIBER |
| A&T / DISTRIBUTION | MARKED | TRUCK WILLIAMS | 772-460-2000 X 400 | TRAFFIC SIGNALS/STORM DRAIN |
| CONDUIT CABLE | MARKED | ARVINE EST 6209 | 772-468-8000 | WATER/SEWER/RAV/ELECTRIC |
| CITY OF FORT PIERCE | MARKED | USC 6584101 | 888-778-8140 | TELEPHONE |



LOCATION MAP: NOT TO SCALE

ALTA/ACSM LAND TITLE SURVEY

LEGAL DESCRIPTION:

PARCEL 1:
 LOTS 1, 2 AND 3, LESS THE WEST 15 FEET THEREOF, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPTING STREET RIGHT OF WAYS THEREFROM.
 PARCEL 2: 4, 5, 6, 7, 8, 9, 10, LESS THE WEST 15 FEET THEREOF, THE WEST ONE-HALF OF LOT 11, ALL IN BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
 AND
 LOTS 22 AND 23, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS THE NORTHEASTERLY 150 FEET THEREOF AND BEING DESCRIBED AS THAT PORTION OF LOTS 22 AND 23 LYING NORTH NAD EAST OF A LINE DRAWN PARALLEL TO THE NORTHEAST LINE OF SAID LOTS AND 150 FEET SOUTHWEST OF SAID NORTHEAST LINE.

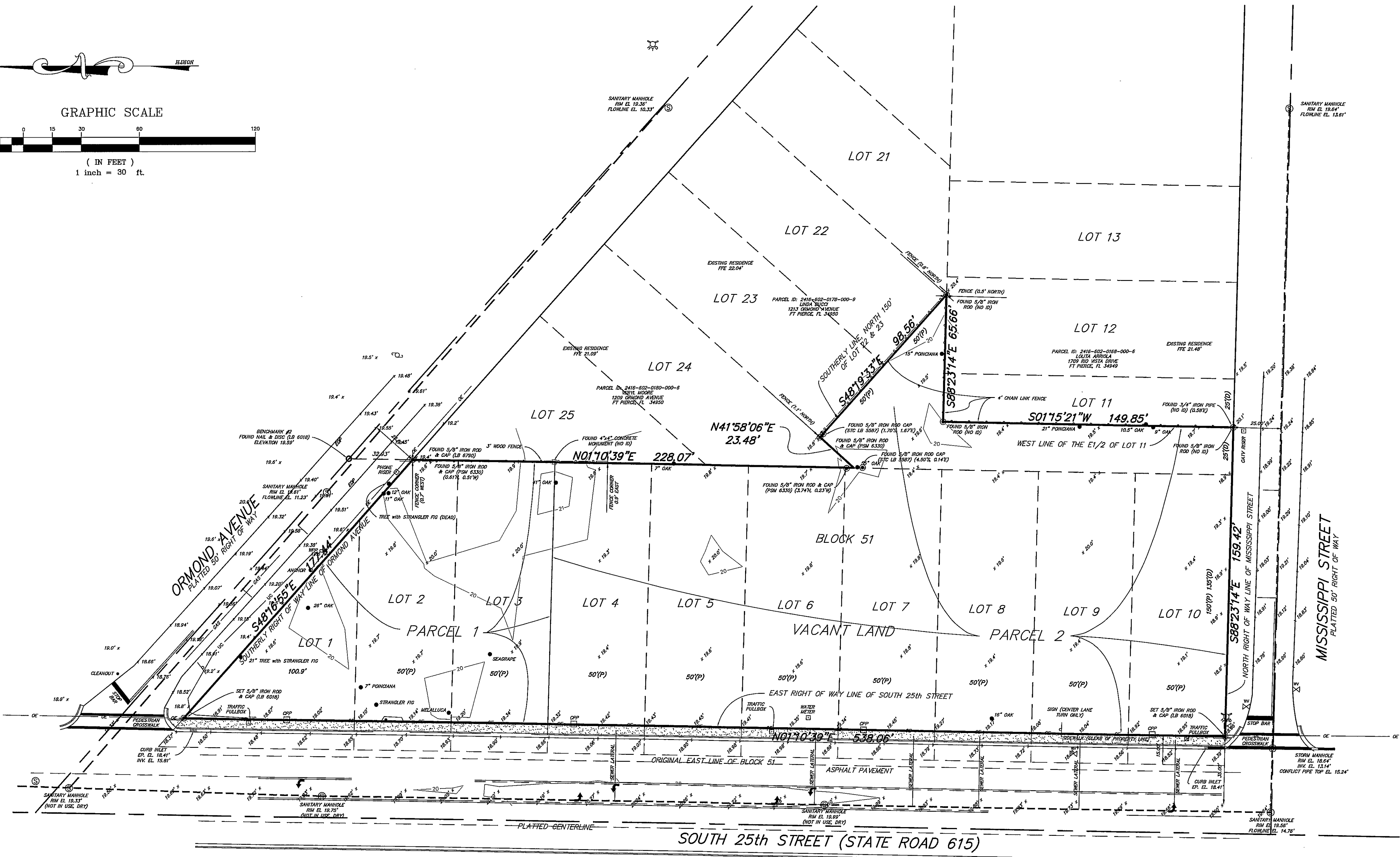
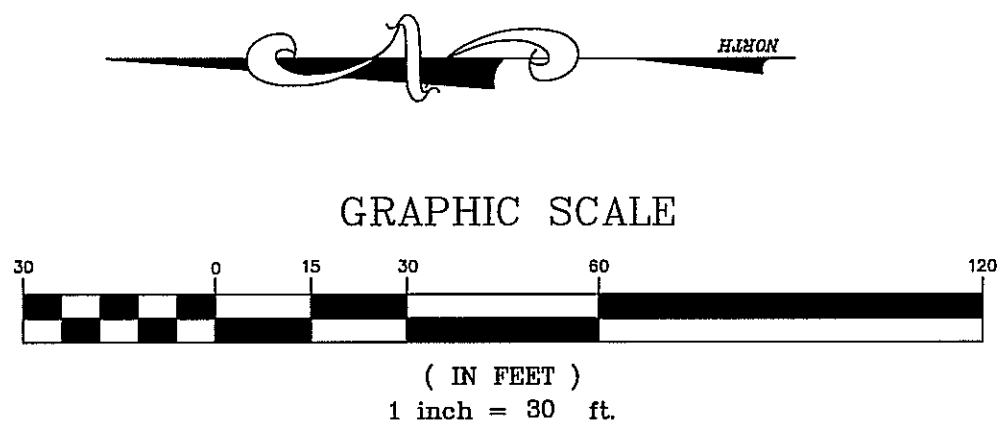
SURVEYOR'S NOTES:

- NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND UTILITIES ON/OR ADJACENT TO THIS SITE. THE APPROXIMATE LOCATION OF ALL UTILITIES SHOWN HEREON WERE TAKEN FROM AS-BUILT DRAWINGS AND/OR ON-SITE LOCATION AND SHOULD BE VERIFIED BEFORE CONSTRUCTION OR FENCES ON OR ADJACENT TO THIS SITE.
- NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND FOOTINGS OF BUILDINGS OR FENCES ON OR ADJACENT TO THIS SITE.
- LANDS SHOWN HEREON WERE SURVEYED IN ACCORDANCE WITH FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NO. 4098974, EFFECTIVE DATE: JANUARY 14, 2013 @ 8:00 AM SCHEDULE B - SECTION II.
- EXCEPTION #6: DEED BOOK 96, PG 457 - SEE NOTE BELOW EXCEPTIONS.
- EXCEPTION #7: DEED BOOK 125, PG 252 - SEE NOTE BELOW EXCEPTIONS.
- EXCEPTION #8: DEED BOOK 125, PG 252 - SEE NOTE BELOW EXCEPTIONS.
- NOTE: EXCEPTIONS 6, 7, 8 ARE UNDETERMINED BY THIS OFFICE. WE WERE TOLD BY DOT (DISTRICT 4) THAT THE STATE ROAD 615 WAS TRANSFERRED FROM ST. LUCIE COUNTY TO THE STATE OF FLORIDA IN 1975. DETERMINATION WILL HAVE TO BE MADE BY OTHERS.
- EXCEPTION #9: PLAT BOOK 4, PAGE 52 - AFFECTS PROPERTY, NO PLOTTABLE EXCEPTIONS.
- BEARINGS SHOWN HEREON REFER TO AN ASSUMED MERIDIAN OF N.01°10'39"E. ALONG THE EAST RIGHT OF WAY LINE OF SOUTH 25th STREET.
- ALL ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
- ST. LUCIE COUNTY BENCHMARK, REFERENCE NO. VIR 3-04 (ELEVATION 16.81')
- LEGAL DESCRIPTION FURNISHED BY CLIENT.
- SITE AREA: 71804.58 SQUARE FEET OR 1.65 ACRES MORE OR LESS.
- THIS SITE LIES IN FLOOD ZONE "X" AS SCALED AND INTERPOLATED FROM FEMA MAP PANEL NO. 12028B-0186-J, DATED: FEBRUARY 16, 2012.
- LIMITS OF JURISDICTIONAL WETLANDS, DITCHES, DRAINAGE WAYS, WATER FLOWS, AND/OR BODIES OF WATER, IF ANY, ARE NOT DETERMINED BY THIS SURVEY. CLIENT IS ADVISED TO CONTACT APPROPRIATE GOVERNING AGENCIES FOR POSSIBLE LIMITS OF JURISDICTION.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
- THERE WAS NO OBSERVABLE EVIDENCE OF THIS SITE BEING USED AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.

SURVEYOR'S CERTIFICATION:

TO: HUTTON PARTNERS, LLC, A TENNESSEE LIMITED LIABILITY COMPANY; PRESTON O. COCKEY, JR., P.A.; AND FIDELITY NATIONAL TITLE INSURANCE COMPANY.
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(c), 7(b), 7(c), 8, 9, 10(a), 10(b), 11(a), 11(b), 12, 13, 14, 16, 17, 18, 19, 20 AND 21 OF TABLE "A" THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 9, 2013.

ROBERT BLOOMSTER JR.
 PROFESSIONAL LAND SURVEYOR
 NO. 4134 STATE OF FLORIDA



- LEGEND**
- CLEAN CUT
 - ⊙ (WP) WOOD POWER POLE
 - ⊙ MANHOLE
 - ⊙ WATER VALVE
 - ⊙ FIRE HYDRANT
 - ⊙ SPOT ELEVATIONS
 - INVERT
 - EL. ELEVATION
 - PSM PROFESSIONAL SURVEYOR AND MAPPER
 - CPW CONCRETE POWER POLE
 - OE OVERHEAD ELECTRIC
 - FFE FINISH FLOOR ELEVATION
 - UC UNDERGROUND CABLE
 - LB LICENSED BUSINESS
 - ID IDENTIFICATION
 - P PLAT
 - D DEED

BLOOMSTER
 PROFESSIONAL LAND
 SURVEYORS, INC.
 L.B. #6018

641 NORTHEAST SPENCER STREET
 JENSEN BEACH, FLORIDA 34957
 PHONE 772-334-0868

| | |
|-----------------------|--------------|
| SHEET 1 OF 1 | |
| DRAWN BY: | DPK |
| SCALE: | 1" = 30' |
| FIELD WORK COMPLETED: | 8/12/13 |
| FIELD BOOK: | SKETCH |
| JOB NO.: | 12343 |
| REVISIONS | |
| DATE: | DESCRIPTION: |
| BY: | |

THE HUTTON COMPANY
 1210 SOUTH 25th STREET
 FORT PIERCE, ST. LUCIE COUNTY, FLORIDA

City Commission Regular Meeting

Agenda Item # 10. d.

Meeting Date: 04/07/2014

Re: Ordinance No. 14-012, Amending the 2012-13 Budget

Submitted For: Gloria Johnson, Finance Director, Finance Department

SUBJECT:

Ordinance No. 14-012 - Budget Amendment of the 2012-13 Budget. FIRST READING

SUMMARY:

The General Fund budget is being amended to adjust budgeted revenues and expenditures to the final actual figures.

RECOMMENDATION:

City Commission approve the budget amendment ordinance.

ALTERNATIVES:

None.

RESPONSIBLE STAFF:

Finance Director

COORDINATED WITH:

City Clerk for Advertising

Fiscal Impact

Budgeted Y/N:

Fiscal Year: 2013

Account:

Amount:

OTHER INFORMATION:

See attached schedule for fiscal impact.

Attachments

Ordinance 14-012 Budget Amendment

ORDINANCE NO. 14-012

AN ORDINANCE **AMENDING THE 2012-13 BUDGET** OF THE CITY OF FORT PIERCE, FLORIDA BY INSERTING THEREIN A SCHEDULE CONSISTING OF FOUR (4) PAGES ATTACHED HERETO AND DESIGNED AS THE 2012-13 FINAL BUDGET AMENDMENT. THE SAID SCHEDULE PROVIDES FOR THE INCREASES AND/OR DECREASES IN REVENUES AND APPROPRIATIONS IN THE GENERAL FUND, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA:

SECTION 1. The Budget of the City of Fort Pierce, Florida for the year 2012-13 be amended by increasing or decreasing various items as set out in the schedule consisting of four (4) pages, hereto attached and made a part hereof and designed as the 2012-13 final budget amendment and that the City Manager and Director of Finance are hereby instructed and directed to transfer said funds to said accounts and increase and decrease in conformity with said schedule.

SECTION 2. This ordinance shall become effective upon passage.

**APPROVED AS TO FORM
AND CORRECTNESS:**

Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)^{SS}

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-012 was duly advertised by title only in the St. Lucie News Tribune on March 28, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on April 7, 2014; and was duly introduced, read by title only, and passed on second and final reading on April 21, 2014, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 21st day of April, 2014.

Linda Hudson,
Mayor Commissioner

Linda W. Cox,
City Clerk

(CITY SEAL)

CITY OF FORT PIERCE

*Budget Amendment
Fiscal Year 2012-2013*

| General Fund Revenues | Approved Budget | Increase | Decrease | Amended Budget | Percentage Over Under Budget |
|---------------------------------|----------------------------|-----------------|-----------------|---------------------------|---|
| | | | | | |
| <i>Taxes</i> | 17,074,272 | | 351,581 | 16,722,691 | 2.06% |
| <i>Licenses and Permits</i> | 355,000 | | 27,443 | 327,557 | 7.73% |
| <i>Inter-Government Revenue</i> | 2,718,000 | 343,856 | | 3,061,856 | 12.65% |
| <i>Charges for Services</i> | 179,900 | 35,929 | | 215,829 | 19.97% |
| <i>Fines and Forfeitures</i> | 173,000 | 29,035 | | 202,035 | 16.78% |
| <i>Miscellaneous Revenues</i> | 1,868,448 | 328,610 | | 2,197,058 | 17.59% |
| <i>Interfund Transfers</i> | 1,920,890 | 117,758 | | 2,038,648 | 6.13% |
| <i>Enterprise Contributions</i> | 6,816,603 | | 117,081 | 6,699,522 | 1.72% |
| <i>Fund Balance</i> | 1,219,933 | | 655,875 | 564,058 | 53.76% |
| | | | | | |
| Totals | 32,326,046 | 855,188 | 1,151,980 | 32,029,254 | |

CITY OF FORT PIERCE

Budget Amendment
Fiscal Year 2012-2013

| <i>General Fund Expenditures</i> | <i>Approved Budget</i> | <i>Increase</i> | <i>Decrease</i> | <i>Amended Budget</i> | <i>Percentage Over Under Budget</i> |
|--|----------------------------|-----------------|-----------------|---------------------------|---|
| | | | | | |
| <i>City Commission</i> | 279,781 | | 37,987 | 241,794 | 13.58% |
| <i>City Manager</i> | 518,749 | | 29,864 | 488,885 | 5.76% |
| <i>City Attorney</i> | 617,608 | 28,874 | | 646,482 | 4.68% |
| <i>City Clerk</i> | 296,632 | 3,380 | | 300,012 | 1.14% |
| <i>Administrative Services</i> | 648,358 | | 32,713 | 615,645 | 5.05% |
| <i>Finance</i> | 686,384 | | 185 | 686,199 | 0.03% |
| <i>MIS</i> | 916,300 | 8,484 | | 924,784 | 0.93% |
| <i>Planning</i> | 641,880 | | 174,319 | 467,561 | 27.16% |
| <i>Building & Community Response</i> | 772,492 | | 2,619 | 769,873 | 0.34% |
| <i>Police</i> | 12,193,520 | | 131,973 | 12,061,547 | 1.08% |
| <i>Engineering</i> | 1,045,350 | | 76,564 | 968,786 | 7.32% |
| <i>PW/Director's Office</i> | 345,216 | 15,114 | | 360,330 | 4.38% |
| <i>PW/Fleet Maintenance</i> | 524,833 | | 100,332 | 424,501 | 19.12% |
| <i>PW/Facilities Maintenance</i> | 987,109 | | 19,376 | 967,733 | 1.96% |
| <i>PW/Parks & Grounds</i> | 1,904,770 | | 95,122 | 1,809,648 | 4.99% |
| <i>PW/Streets & Drainage</i> | 2,264,478 | | 143,393 | 2,121,085 | 6.33% |
| <i>Riverwalk Center</i> | 155,050 | 3,504 | | 158,554 | 2.26% |
| <i>Administrative</i> | 7,527,536 | 488,299 | | 8,015,835 | 6.49% |
| | | | | | |
| Totals | 32,326,046 | 547,655 | 844,447 | 32,029,254 | |

City of Fort Pierce
Final Budget Amendment
Fiscal Year 2012-2013
Revenues and Expenditures

Below are the major revenue categories that are responsible for the increase and decrease in revenues during the City of Fort Pierce Budget year 2012-2013.

(1) Taxes Decrease: \$351,581 or 2.06%

Ad valorem taxes budget to actual collection rate was 97.43% leaving a differential of **\$266,449**. Local Option Taxes were **\$67,000** less than anticipated. Finally, utility and other taxes added to the decrease in tax revenue by **\$19,000**.

(2) Licenses and Permits Decrease: \$27,443 or 7.73%

Occupational licenses collections were down **\$11,000** and other permits **\$16,000**.

(3) Intergovernmental Revenues Increase: \$343,856 or 12.65%

The major increases are: State revenue sharing **\$88,983**; Half cent sales tax **\$179,000** and other intergovernmental **\$75,000**.

(4) Charges for Services Increase: \$35,929 or 19.97%

Record search, investigative and application fees provided **\$17,700** and community center **\$51,000** in additional income. Rotation and towing missed the budget mark by **\$33,000**.

(5) Fines and Forfeitures Increase: \$29,035 or 16.78%

Violation of local ordinances produced **\$31,272** more and court fines **\$2,200** less in the fines and forfeitures category.

(6) Miscellaneous Revenues Increase: \$328,610 or 17.59%

The increases are: Revenues from the State of Florida **\$147,000**; other contractual **\$218,000**; interest, special assessments and other miscellaneous brought to the fund **\$69,000** in extra revenues. City contractual services reductions were **\$106,130**.

(7) Inter-fund Transfer Increase: \$117,758 or 6.13%

General Fund received **\$136,000** from Restricted Revenue Fund and **\$18,000** less from FPRA.

(8) Enterprise Contributions Decrease: \$117,081 or 1.72%

FPUA transfer was **\$37,769** less and the **\$307,955** advance was not needed. Additional transfers were received from the following funds: Solid Waste **\$121,000**, Golf Course **\$28,000**, Marina **\$51,111** and Stormwater **\$28,532**.

(9) Fund Balance Decrease: \$655,875 or 53.76%

Fund balance appropriation was \$1,219,933; \$576,596 was needed for fiscal 2013.

Below are the departments and an explanation for the notable **increases** and **decreases** in their expenditure budgets during the City of Fort Pierce 2012-2013 budget year.

(1) City Commission Department Decrease: \$37,987 or 13.58%

Mayor elected not to receive approximately \$40,000 in compensation.

(2) City Manager Department Decrease: \$29,864 or 5.76%

City Manager annual pay and benefits \$14,000 less and reported to work in November saving about \$14,000.

(3) City Attorney Department Increase: \$28,874 or 4.68%

The City Attorney's budget overage is the result of non-budgeted litigation and related issues.

(4) Administrative Services Decrease: \$32,713 or 5.05%

Savings were achieved in personnel services; \$18,000 in retirement and the \$14,000 remaining in other benefits.

(5) Planning Decrease: \$174,319 or 27.16%

A budget reduction of \$49,913 was required to assist in UR transfer; Planning Director position, \$95,000 was not filled until September, 2013; additionally, \$32,000 in savings was realized in expenditure line items.

(6) Police Decrease: \$131,973 or 1.08%

To assist in funding of the FY 2014 Budget the Police Department was to save \$285,000 for wage increases. The saving from the budget was \$153,027 less than anticipated.

(7) Engineering Decrease: \$76,564 or 7.32%

During the year, due to Marina project, personnel services increased by \$32,000; traffic signal material decreased by \$100,000 and a budget reduction of \$7,000.

(8) PW/Fleet Decrease: \$100,332 or 19.12%

A budget reduction of \$24,750 was required to assist in UR transfer; retirement \$18,000; a position with related benefits (\$53,000) was not filled; and \$5,000 in other expenses.

(9) PW/ Parks & Grounds Decrease: \$95,122 or 4.99%

A budget reduction of \$60,000 was required to assist in UR transfer; salaries and benefits of \$20,000 and utilities \$16,000.

(10) PW/Streets & Drainage Decrease: \$143,393 or 6.33%

A budget reduction of \$63,149 was required to assist in UR transfer; salaries and benefits of \$10,000; street light energy \$45,000 and remaining expenses \$25,000.

(11) Administrative Department Increase: \$488,299 or 6.49%

The major increases were: Cost for DROP was \$57,450; grants and aids \$64,000 for Christmas; Interfund transfers, (Urban Redevelopment \$316,114, CDBG \$161,417, Grants \$25,000); contractual \$63,000 and the remaining expenses \$33,000. The major decreases were: A capital budget reduction of \$50,000 was required to assist in UR transfer; utilities \$36,000; insurance \$147,000.

City Commission Regular Meeting

Agenda Item # 11. a.

Meeting Date: 04/07/2014

Re: Presentation on Fort Pierce Authentic Tours (FPAT) Program

Submitted For: Libby Woodruff, Grant Writer, Urban Redevelopment

SUBJECT:

Presentation on Fort Pierce Authentic Tours (FPAT) Program

SUMMARY:

The City Commission requested a presentation on the status of the Fort Pierce Authentic Tours program. This economic development initiative, which is a component of the City of Fort Pierce Community Development Block Grant program, utilizes the natural amenities of the Fort Pierce area to create tourism opportunities for local businesses.

RECOMMENDATION:

City Commission allow presentation on history, accomplishments, and future direction of the Fort Pierce Authentic Tours program.

ALTERNATIVES:

N/A

RESPONSIBLE STAFF:

Libby Woodruff, Grants Administrator

COORDINATED WITH:

Nick Mimms, Deputy City Manager

Fiscal Impact

Budgeted Y/N: Y
Fiscal Year: 2013-2014
Account: CDBG
Amount: \$45,000

OTHER INFORMATION:

Tourism Development and Promotion is an approved Economic Development Activity in the CDBG 2011-2015 5-Year and 2013-2014 Action Plans.

Attachments

FPAT Program Overview



FORT PIERCE AUTHENTIC TOURS

fortpiercetours.com



Smithsonian Marine Station



Fort Pierce Lady
Deep Sea Fishing



Florida Airboat Excursions

Established by Resolution #11-25 in May, 2011 – “FPAT”

Mission



- Help establish Fort Pierce as a pristine all-season tourism destination;
- Pursue relationships with organizations and tourism providers that foster mutual goals, provide cooperative marketing and funding mechanisms and increase tourism in Fort Pierce;
- Increase visitor numbers, trip duration, positive economic impact and create and sustain jobs in the City of Fort Pierce;
- Act as liaison between eco / nature / agri / aqua / cultural heritage-related tourism businesses and the community; and
- Protect our local environment and wildlife habitat.



**Indian River Lagoon
Boat Tours**



Motorized Kayak Adventures



Collaborations / Partnerships

- **SLC Tourism Development Council (TDC)**
- **SLC Chamber of Commerce / Seven Gables House Visitor Center**
- **“Visit Florida” (State of Florida Commission of Tourism)**

Results To Date:

- **Steady increase in Fort Pierce visitors. ‘Off Season’ tourism has increased by more than 30% since 2012;**
- **Creation of 25 NEW jobs within local tourism industry since 2012; and**
- **Increasingly positive feedback from tourists.**



Adams Ranch



Tours on Horseback



Dolphin Watch Boat Tours



Regional History Center

Moving Forward...



- Recently applied to Visit Florida for grant to help cover costs of brochures and display space in ALL Florida Welcome Centers;
- Decorative banners currently being designed; will be installed on light poles throughout the City;
- Billboard currently being designed; will be installed at I-95 Orange Avenue exit;
- Currently advertising in:
 - National Geographic - Travel Edition
 - Treasure Coast Almanac
 - St. Lucie County Travel Guide
 - Facebook



Heathcote Botanical Gardens



Al's Family Farms



**Last Mango
Sport Fishing Charters**



**Manatee Observation &
Education Center**

- **Moving Forward...**

- **Creating promotional posters to display at City Marina and in Parking Garage retail space windows;**
- **Incorporating all City tourism venues into FPAT (Sunrise Theatre, City Marina, Jetty Park, Hurston Trail, etc.;**
- **Encouraging more local tourism businesses to participate;**
- **Tourism business owners working FPAT booths at Saturday Markets, Friday Fests, other local festivals, etc. ; and**
- **Continually gauging results to get best 'bang for our buck' for advertising dollars.**



**The Highwaymen
Heritage Trail**



FORT PIERCE AUTHENTIC TOURS

fortpiercetours.com

City Commission Regular Meeting

Agenda Item # 12. a.

Meeting Date: 04/07/2014

Re: FY 2013 Final Budget Amendment

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approval of the FPUA's FY 2013 Final Budget Amendment.

SUMMARY:

In accordance with the provisions of the City of Fort Pierce Charter, Article XII, Section 176 (12), William Thiess, Director of Utilities has forwarded the FY 2013 Final Budget Amendment for consideration and approval by the City Commission.

RECOMMENDATION:

Approval the final budget amendment.

ALTERNATIVES:

n/a

RESPONSIBLE STAFF:

William G. Thiess, Director of Utilities
Nina B. Hurtubise, FPUA Director of Finance

COORDINATED WITH:

Submitted through Linda W. Cox, City Clerk

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments


FPUA Budget Amendment




Director of Finance
"Committed to Quality"

MEMORANDUM

TO: Fort Pierce City Commission

FROM: Nina B. Hurtubise, CPA 
FPUA Director of Finance

THROUGH: William G. Thiess, P.E. 
FPUA Director of Utilities

DATE: March 24, 2014

SUBJECT: City Commission Agenda Request for April 7, 2014 Meeting
FY 2013 Final Budget Amendment

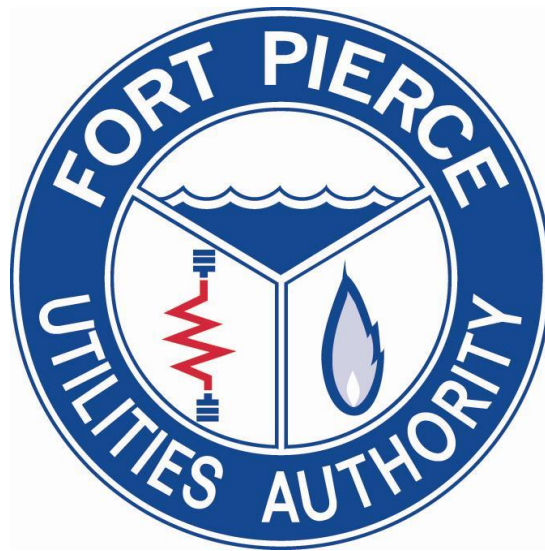
In accordance with the provisions of the City of Fort Pierce Charter, Article XII, Section 176 (12), I am forwarding for consideration by the City Commission during the April 7, 2014 City Commission meeting, FPUA's FY 2013 Final Budget Amendment.

If you have any questions or are in need of additional information, please feel free to contact me.

cc: City Manager
City Clerk

FORT PIERCE UTILITIES AUTHORITY

Fort Pierce, Florida



FINAL BUDGET AMENDMENT

FISCAL YEAR 2013

RESOLUTION NO. UA 2014-07

A RESOLUTION AMENDING THE BUDGET OF FORT PIERCE UTILITIES AUTHORITY OF THE CITY OF FORT PIERCE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013.

BE IT RESOLVED BY FORT PIERCE UTILITIES AUTHORITY:

SECTION I: That in accordance with City of Fort Pierce Charter, Article XII, Section 176 and Section 178, Fort Pierce Utilities Authority of the City of Fort Pierce, Florida, hereby amends its budget for fiscal year 2013 for the operation of the utilities systems for the City of Fort Pierce, Florida, by adjusting various budget items as set forth in the attached schedule consisting of 39 pages.

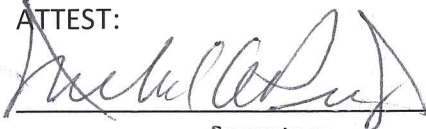
SECTION II: Attached hereto and incorporated herein by reference is the 39 page schedule referred to above.

SECTION III: That it shall be the duty of the Director of Fort Pierce Utilities Authority to adjust the accounts and perform necessary transfers among the accounts to conform to the amended budget.

SECTION IV: That this Resolution shall be in full force and effect upon adoption by the Fort Pierce Utilities Authority Board and the City Commission of the City of Fort Pierce, Florida, and shall be effective retroactive to September 30, 2013.

This Resolution is adopted this 4th day of February, 2014.

ATTEST:



Secretary

(FPUA Seal)

FORT PIERCE UTILITIES AUTHORITY

BY: 

Chairman

APPROVED AS TO FORM & CORRECTNESS:

BY: 

Fort Pierce Utilities Authority Attorney

MEMORANDUM

TO: William G. Thies, P.E., Director of Utilities
FROM: Nina B. Hurtubise, CPA, Director of Finance *NH*
DATE: January 29, 2014
SUBJECT: Resolution No. UA 2014-07, Final Budget Amendment for FY 2013

RECOMMENDATION:

Adopt as presented.

SUMMARY/SUPPORTING INFORMATION:

Presented for the Board's review and approval is the Final Budget Amendment for FY 2013.

The Final Budget Amendment reflects revenues in the amount of \$100,399,222, an increase of \$3,170,851 (3.3%) as compared to the Amended FY 2013 Budget, which was approved by the Board on July 3, 2013. As well, the Final Budget Amendment reflects expenses in the amount of \$102,211,240 (budget basis), a decrease of \$3,798,919 (3.6%) from the Amended FY 2013 Budget figure of \$106,010,159. Also presented in the budget amendment summary is a recap of FPUA's expenses as presented in the financial statements and the calculation of the Change in Net Assets. The difference between the two presentations is that capitalized salary, benefit and overhead costs are included in the budgeted expenditures, but are excluded from expenses for financial statement reporting purposes, in accordance with Generally Accepted Accounting Principles.

Decrease in Net Assets

FPUA's financial statements reflect a decrease in net assets for FY 2013 in the amount of \$289,301, which was less than the \$6,752,788 decrease projected in the Amended FY 2013 Budget. The contributing factors to this variance were the company-wide reduction in expenses and higher than expected revenues in the Electric, Water and Wastewater systems.

Unit Sales and Revenues

As shown in the table below, unit sales were above the amended projections for all systems with the exception of Electric. All utility systems also experienced decreases in unit sales as compared to FY 2012 actual results except for Natural Gas. Sales revenues were above budgetary expectations in all utility systems except Natural Gas.

| | <u>Amended Budget</u> | <u>Actual</u> | <u>Increase (Decrease)</u> | <u>Percent</u> |
|-------------------|---------------------------|---------------|--------------------------------|----------------|
| Electric (MWh) | 518,571 | 509,244 | (9,327) | (1.80%) |
| Water (*) | 2,462,354 | 2,466,037 | 3,683 | 0.15% |
| Wastewater (*) | 1,411,921 | 1,434,439 | 22,518 | 1.59% |
| Natural Gas (ccf) | 3,854,600 | 3,995,826 | 141,226 | 3.66% |

* Thousands of Gallons

Expenses

The 3.6% decrease in budgetary expenses, in the amount of \$3,798,919 from the Amended FY 2013 Budget is primarily attributable to:

- Lower than expected purchased power and gas costs. This did not, however, impact the Change In Net Assets, due to a similar decrease in cost recovered from customers.
- Lower than projected cost of Maintenance Contracts. This savings is attributable to deferring maintenance when possible and eliminating or reducing the cost of ongoing maintenance contracts. The Water Resources, Water Reclamation and Water Distribution departments made the largest impact in this area.
- Lower than projected cost for providing Employees' Insurance. This cost savings can be attributed to the contract with local healthcare providers for wellness checks and office visits for employees.

Summary

Fiscal Year 2013 was another year of tightening cost controls for FPUA, while continuing to respond to public needs and providing quality service.

ALTERNATIVES (IF ANY):

None

ATTACHMENTS:

Summary
Allocation Distribution
Operations and Maintenance Expense Analysis by Object Code
Revenues
Detail Expenses by Department

**FORT PIERCE UTILITIES AUTHORITY
FY 2013 FINAL BUDGET AMENDMENT
SUMMARY**

| | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|--|------------------------------|----------------------------|--------------------------------------|
| REVENUES | | | |
| ELECTRIC | \$ 65,077,988 | \$ 67,025,255 | \$ 1,947,267 |
| WATER | 13,415,022 | 14,362,513 | 947,491 |
| NATURAL GAS | 4,830,898 | 4,538,049 | (292,849) |
| WASTEWATER | 11,456,295 | 12,017,449 | 561,154 |
| MOEC | 374,774 | 358,074 | (16,700) |
| FPUAnet | 412,299 | 444,202 | 31,903 |
| TCEC | 1,661,095 | 1,653,680 | (7,415) |
| <i>TOTAL REVENUES</i> | <i>\$ 97,228,371</i> | <i>\$ 100,399,222</i> | <i>\$ 3,170,851</i> |
| EXPENSES PER THE FINANCIAL STATEMENTS | | | |
| ELECTRIC | \$ 66,728,590 | \$ 64,900,900 | \$ (1,827,690) |
| WATER | 16,348,012 | 15,628,191 | (719,821) |
| NATURAL GAS | 4,979,085 | 4,000,314 | (978,771) |
| WASTEWATER | 13,554,725 | 13,868,765 | 314,040 |
| MOEC | 374,774 | 358,074 | (16,700) |
| FPUAnet | 334,878 | 278,599 | (56,279) |
| TCEC | 1,661,095 | 1,653,680 | (7,415) |
| <i>TOTAL EXPENSES</i> | <i>\$ 103,981,159</i> | <i>\$ 100,688,523</i> | <i>\$ (3,292,636)</i> |
| INCREASE (DECREASE) IN NET ASSETS | | | |
| ELECTRIC | \$ (1,650,602) | \$ 2,124,355 | \$ 3,774,957 |
| WATER | (2,932,990) | (1,265,678) | 1,667,312 |
| NATURAL GAS | (148,187) | 537,735 | 685,922 |
| WASTEWATER | (2,098,430) | (1,851,316) | 247,114 |
| MOEC | - | - | - |
| FPUAnet | 77,421 | 165,603 | 88,182 |
| TCEC | - | - | - |
| <i>CHANGE IN NET ASSETS</i> | <i>\$ (6,752,788)</i> | <i>\$ (289,301)</i> | <i>\$ 6,463,487</i> |

**ALLOCATION DISTRIBUTION
FY 2013**

| DEPARTMENT | | CAPITAL | ELECTRIC | WATER | GAS | WASTEWATER | OTHER | TOTAL |
|---------------|--------------------------------------|--------------|---------------|---------------|--------------|---------------|--------------|----------------|
| 01 | MOEC | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 358,074 | \$ 358,074 |
| 02 | TCEC | - | - | - | - | - | 1,653,680 | 1,653,680 |
| 10 | BOARD | 5,416 | 36,824 | 25,570 | 525 | 19,168 | - | 87,503 |
| 11 | DIRECTOR OF UTILITIES | 17,539 | 125,165 | 86,913 | 1,786 | 65,150 | - | 296,553 |
| 12 | ATTORNEY | 7,181 | 43,695 | 30,341 | 623 | 22,744 | - | 104,584 |
| 15 | HUMAN RESOURCES | 48,107 | 140,410 | 128,918 | 3,393 | 92,074 | - | 412,902 |
| 18 | RISK MANAGEMENT | 27,386 | 204,559 | 142,042 | 2,918 | 106,474 | - | 483,379 |
| 21 | FINANCE | 66,141 | 474,910 | 329,769 | 6,775 | 247,194 | - | 1,124,789 |
| 22 | MATERIALS MANAGEMENT | 200,888 | 78,219 | 42,772 | 31,541 | 15,863 | - | 369,283 |
| 31 | SHARED SERVICES | 9,530 | 55,892 | 51,317 | 1,351 | 36,651 | - | 154,741 |
| 32 | INFORMATION TECHNOLOGY SERVICES | 136,052 | 735,894 | 675,669 | 17,781 | 482,566 | - | 2,047,962 |
| 33 | FEDERAL BUILDING | - | 51,239 | 10,941 | 329 | 8,954 | - | 71,463 |
| 35 | FACILITIES | 36,721 | 221,098 | 203,508 | 27,495 | 89,143 | - | 577,965 |
| 41 | COMMUNICATIONS | 10,139 | 62,609 | 43,475 | 893 | 32,589 | - | 149,705 |
| 43 | CUSTOMER SERVICE | - | 819,519 | 569,060 | 11,692 | 426,566 | - | 1,826,837 |
| 51 | DIRECTOR OF ELECTRIC & GAS SYSTEMS | 8,624 | 170,466 | - | - | - | - | 179,090 |
| 52 | POWER GENERATION | - | 761,258 | - | - | - | - | 761,258 |
| 53 | ELECTRIC PURCHASES FOR RESALE | - | 42,947,570 | - | - | - | - | 42,947,570 |
| 54 | ELECTRIC TRANSMISSION & DISTRIBUTION | 435,586 | 9,088,650 | - | - | - | - | 9,524,236 |
| 56 | ELECTRIC & GAS ENGINEERING | 27,369 | 802,097 | - | - | - | - | 829,466 |
| 61 | DIRECTOR OF WATER/WASTEWATER SYSTEMS | - | - | 92,875 | - | 61,917 | - | 154,792 |
| 62 | WATER RESOURCES | 657 | - | 5,494,396 | - | - | - | 5,495,053 |
| 64 | WATER DISTRIBUTION | 152,155 | - | 4,491,228 | - | - | - | 4,643,383 |
| 66 | WATER/WASTEWATER ENGINEERING | 166,172 | - | 451,747 | - | 301,165 | - | 919,084 |
| 74 | GAS OPERATIONS | 64,833 | - | - | 1,599,036 | - | - | 1,663,869 |
| 75 | NATURAL GAS PURCHASES FOR RESALE | - | - | - | 1,815,812 | - | - | 1,815,812 |
| 82 | WATER RECLAMATION | 29,517 | - | - | - | 3,644,867 | - | 3,674,384 |
| 84 | WASTEWATER COLLECTION | 63,650 | - | - | - | 6,697,008 | - | 6,760,658 |
| 93 | FPUAnet COMMUNICATIONS | 1,957 | - | - | - | - | 278,599 | 280,556 |
| 99 | ADMINISTRATIVE & GENERAL | 7,097 | 8,080,826 | 2,757,650 | 478,364 | 1,518,672 | - | 12,842,609 |
| TOTALS | | \$ 1,522,717 | \$ 64,900,900 | \$ 15,628,191 | \$ 4,000,314 | \$ 13,868,765 | \$ 2,290,353 | \$ 102,211,240 |

OPERATIONS AND MAINTENANCE EXPENSE ANALYSIS BY OBJECT CODE

| OBJECT CODE | | ACTUAL FY 2011 | ACTUAL FY 2012 | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 |
|------------------------------------|-----------------------------------|-------------------|-------------------|------------------------------|----------------------------|
| <u>PERSONNEL SERVICES</u> | | | | | |
| 1010 | SALARIES & WAGES | \$ 13,326,032 | \$ 12,954,085 | \$ 13,233,418 | \$ 13,222,801 |
| 1020 | OVERTIME | 534,809 | 605,215 | 624,900 | 632,486 |
| | <i>PERSONNEL SERVICES TOTAL</i> | <u>13,860,841</u> | <u>13,559,300</u> | <u>13,858,318</u> | <u>13,855,287</u> |
| <u>EMPLOYEE BENEFITS</u> | | | | | |
| 4050 | RETIREMENT | 1,540,784 | 1,695,258 | 2,265,944 | 2,037,538 |
| 4060 | FICA | 1,045,285 | 982,833 | 1,053,219 | 1,011,967 |
| 4070 | EMPLOYEES' INSURANCE | 3,035,123 | 2,885,216 | 3,140,000 | 2,672,478 |
| 4090 | VACATION PAY EXPENSE | 17,877 | 33,103 | - | 29,443 |
| 4100 | SICK PAY EXPENSE | (62,391) | 78,010 | - | 43,910 |
| 4110 | NET OPEB EXPENSE | 307,676 | 53,000 | 55,000 | 55,000 |
| 4600 | WORKERS' COMPENSATION | 208,150 | 218,669 | 188,562 | 155,250 |
| 4640 | UNEMPLOYMENT CLAIMS | 34,392 | 15,489 | 35,000 | 7,177 |
| | <i>EMPLOYEE BENEFITS TOTAL</i> | <u>6,126,896</u> | <u>5,961,578</u> | <u>6,737,725</u> | <u>6,012,763</u> |
| <u>CONTRACTUAL SERVICES</u> | | | | | |
| 2110 | ADVERTISING | 48,964 | 74,021 | 67,633 | 44,046 |
| 2122 | RENTALS | 288,568 | 60,012 | 66,873 | 62,829 |
| 2131 | MAINTENANCE OF BUILDINGS | 214,623 | 181,565 | 221,505 | 185,786 |
| 2132 | MAINTENANCE OF VEHICLES | 158,650 | 188,449 | 186,451 | 182,393 |
| 2133 | MAINTENANCE OF EQUIPMENT | 107,634 | 118,990 | 185,790 | 158,988 |
| 2139 | MAINTENANCE CONTRACTS | 1,776,326 | 1,848,628 | 2,282,444 | 1,836,954 |
| 2140 | POSTAGE | 161,690 | 206,189 | 208,826 | 186,955 |
| 2151 | PRINTING | 70,906 | 44,824 | 69,202 | 50,781 |
| 2161 | PROFESSIONAL FEES - AUDIT | 45,430 | 52,080 | 36,200 | 42,890 |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 187,999 | 324,372 | 250,496 | 148,987 |
| 2165 | TEMPORARY LABOR | 72,478 | 13,900 | 520 | - |
| 2166 | PROFESSIONAL FEES - OTHER | 263,744 | 332,010 | 317,650 | 231,469 |
| 2170 | TRAINING | 160,329 | 153,649 | 241,143 | 189,903 |
| 2171 | TRAVEL | 4,424 | 4,382 | 8,205 | 6,847 |
| 2172 | CAR ALLOWANCE | 163,326 | 159,159 | 150,880 | 149,361 |
| 2190 | COMMUNICATIONS | 173,577 | 155,550 | 168,200 | 175,771 |
| 2200 | UTILITIES | 2,227,861 | 2,177,537 | 2,100,560 | 2,045,057 |
| 2230 | EMPLOYEE RELATIONS | 41,043 | 35,423 | 27,531 | 23,377 |
| 2240 | BUSINESS RELATIONS | 3,193 | 3,793 | 5,162 | 2,831 |
| 2250 | COMMUNITY RELATIONS | 9,495 | 12,832 | 15,005 | 20,744 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 55,612 | 51,065 | 58,828 | 53,565 |
| 2262 | MEMBERSHIPS - CIVIC | 3,741 | 3,698 | 6,507 | 3,705 |
| 2290 | BILLING - HOUSING AUTHORITY | 18,875 | 6,547 | 15,000 | 9,133 |
| | <i>CONTRACTUAL SERVICES TOTAL</i> | <u>6,258,488</u> | <u>6,208,675</u> | <u>6,690,611</u> | <u>5,812,372</u> |
| <u>PURCHASES FOR RESALE</u> | | | | | |
| 3360 | PURCHASES FOR RESALE | 45,694,689 | 44,326,528 | 46,996,508 | 44,800,494 |
| | <i>PURCHASES FOR RESALE TOTAL</i> | <u>45,694,689</u> | <u>44,326,528</u> | <u>46,996,508</u> | <u>44,800,494</u> |

OPERATIONS AND MAINTENANCE EXPENSE ANALYSIS BY OBJECT CODE

| OBJECT CODE | | ACTUAL FY 2011 | ACTUAL FY 2012 | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 |
|----------------------------------|---------------------------------|-----------------------|-----------------------|------------------------------|----------------------------|
| <u>COMMODITIES</u> | | | | | |
| 3311 | OFFICE SUPPLIES | 59,915 | 70,488 | 66,930 | 70,461 |
| 3313 | SUBSCRIPTIONS | 5,096 | 5,486 | 8,363 | 4,695 |
| 3316 | OPERATING SUPPLIES | 1,201,106 | 1,184,536 | 1,307,627 | 1,296,467 |
| 3320 | CHEMICALS | 852,990 | 844,436 | 1,073,400 | 855,028 |
| 3331 | GAS, OIL & LUBRICANTS | 401,580 | 404,318 | 375,025 | 408,331 |
| 3340 | SMALL TOOLS | 47,510 | 52,962 | 77,776 | 55,595 |
| | COMMODITIES TOTAL | 2,568,197 | 2,562,226 | 2,909,121 | 2,690,577 |
| <u>FIXED & SUNDRY</u> | | | | | |
| 4010 | COST OF GOODS SOLD | 54,188 | 54,737 | 52,000 | 47,949 |
| 4015 | SALES DISCOUNTS | 3,810 | 8,474 | 6,000 | 7,411 |
| 4020 | CASH (OVER) SHORT | 529 | 361 | 503 | (548) |
| 4080 | EMPLOYEE SUGGESTIONS & AWARDS | 19,182 | 15,198 | 16,520 | 13,929 |
| 4509 | OTHER TAXES | 37,773 | 36,295 | 37,723 | 37,723 |
| 4510 | GROSS RECEIPTS TAX | 1,934,368 | 1,749,468 | 1,707,156 | 1,685,475 |
| 4520 | LICENSES & PERMITS | 77,278 | 102,187 | 67,588 | 58,580 |
| 4531 | CIVIC CONTRIBUTIONS | 152,546 | 127,972 | 194,824 | 194,941 |
| 4610 | PROPERTY & LIAB./INS & UNINSUR | 400,607 | 501,862 | 632,108 | 495,508 |
| 4666 | INVENTORY ADJUSTMENTS | 11,170 | (20,890) | 10,800 | 2,861 |
| 4700 | UTILITY BAD DEBT EXPENSE | 279,843 | 358,769 | 350,000 | 257,725 |
| 5730 | BANK CHARGES | 153,071 | 216,131 | 238,200 | 249,733 |
| 6100 | ADMINISTRATIVE CHARGES - CITY | 86,991 | 62,156 | - | - |
| 9005 | DUPLICATE CHARGES | (46,331) | (49,728) | (51,633) | (51,308) |
| | FIXED & SUNDRY TOTAL | 3,165,025 | 3,162,992 | 3,261,789 | 2,999,979 |
| <u>INTEREST EXPENSES</u> | | | | | |
| 5721 | INTEREST - BONDS & POOLED LOAN | 5,361,435 | 5,145,328 | 4,249,993 | 4,249,993 |
| 5723 | INTEREST - DEPOSITS | 31,642 | 14,704 | 12,100 | 15,454 |
| 5725 | CAPITALIZED INTEREST | (27,409) | (97,542) | (55,000) | 189,026 |
| 5729 | INTEREST OTHER | 35,201 | 441 | - | - |
| 5731 | AMORTIZAT. OF BOND DISC. & EXP. | (417,177) | (339,045) | 158,115 | 158,115 |
| | INTEREST EXPENSES TOTAL | 4,983,692 | 4,723,886 | 4,365,208 | 4,612,588 |
| <u>MISCELLANEOUS</u> | | | | | |
| 9000 | CITY DISTRIBUTION | 5,125,280 | 4,767,268 | 5,365,879 | 5,365,879 |
| 9010 | CONTINGENCY | - | - | 500,000 | - |
| 9030 | DEPRECIATION | 15,558,060 | 15,253,516 | 15,300,000 | 15,300,043 |
| 9050 | EXTRAORDINARY EXPENSE | 9,465 | 1,200,000 | 25,000 | 761,258 |
| | MISCELLANEOUS TOTAL | 20,692,805 | 21,220,784 | 21,190,879 | 21,427,180 |
| | GRAND TOTAL | \$ 103,350,633 | \$ 101,725,969 | \$ 106,010,159 | \$ 102,211,240 |

ELECTRIC REVENUES

| | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|--|------------------------------|-----------------------------|--------------------------------------|
| <u>OPERATING REVENUES</u> | | | |
| <i>SALES OF ELECTRICITY:</i> | | | |
| <i>RESIDENTIAL SALES:</i> | | | |
| INSIDE CITY | \$ 20,377,000 | \$ 20,601,270 | \$ 224,270 |
| OUTSIDE CITY | 5,058,700 | 5,102,064 | 43,364 |
| <i>GENERAL SERVICE:</i> | | | |
| INSIDE CITY | 29,551,700 | 30,040,608 | 488,908 |
| OUTSIDE CITY | 4,948,700 | 5,008,574 | 59,874 |
| <i>POWER COST ADJUSTMENT:</i> | | | |
| RESIDENTIAL | 608,728 | 860,700 | 251,972 |
| GENERAL SERVICE | 1,040,360 | 1,661,716 | 621,356 |
| UNBILLED SERVICE REVENUE | - | 100,900 | 100,900 |
| <i>RENTAL LIGHTS:</i> | | | |
| RESIDENTIAL | 81,600 | 81,856 | 256 |
| GENERAL SERVICE | 1,084,000 | 1,086,721 | 2,721 |
| STREET & TRAFFIC SIGNALS | 843,000 | 843,403 | 403 |
| <i>TOTAL</i> | <u>63,593,788</u> | <u>65,387,812</u> | <u>1,794,024</u> |
| <i>OTHER OPERATING REVENUES:</i> | | | |
| MISCELLANEOUS SERVICE REVENUE | 1,153,800 | 1,114,500 | (39,300) |
| <i>TOTAL OPERATING REVENUES</i> | 64,747,588 | 66,502,312 | 1,754,724 |
| <u>NON-OPERATING REVENUES</u> | | | |
| INVESTMENT INCOME | 75,600 | 70,284 | (5,316) |
| GRANT REVENUE | 4,400 | 4,486 | 86 |
| REVENUE FOR CITY BILLING | 83,900 | 83,978 | 78 |
| MISCELLANEOUS INCOME | 44,300 | 47,599 | 3,299 |
| GAIN (LOSS) ON DISPOSITION OF PROPERTY | 22,200 | 33,275 | 11,075 |
| <i>TOTAL NON-OPERATING REVENUES</i> | <u>230,400</u> | <u>239,622</u> | <u>9,222</u> |
| <i>REVENUES BEFORE CAPITAL CONTRIBUTIONS</i> | 64,977,988 | 66,741,934 | 1,763,946 |
| <u>CAPITAL CONTRIBUTIONS</u> | | | |
| CONTRIBUTED CAPITAL - CASH | 100,000 | 283,321 | 183,321 |
| <i>TOTAL CAPITAL CONTRIBUTIONS</i> | <u>100,000</u> | <u>283,321</u> | <u>183,321</u> |
| <i>TOTAL REVENUES</i> | <u><u>\$ 65,077,988</u></u> | <u><u>\$ 67,025,255</u></u> | <u><u>\$ 1,947,267</u></u> |

WATER REVENUES

| | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|--|------------------------------|----------------------------|--------------------------------------|
| <u>OPERATING REVENUES</u> | | | |
| <i>SALES OF WATER:</i> | | | |
| <i>RESIDENTIAL SALES:</i> | | | |
| INSIDE CITY | \$ 3,839,900 | \$ 4,024,173 | \$ 184,273 |
| OUTSIDE CITY | 1,339,000 | 1,357,451 | 18,451 |
| <i>GENERAL SERVICE:</i> | | | |
| INSIDE CITY | 4,657,500 | 4,685,675 | 28,175 |
| OUTSIDE CITY | 2,179,200 | 2,189,744 | 10,544 |
| UNBILLED SERVICE REVENUE | - | 99,800 | 99,800 |
| SALES FOR RESALE | 812,600 | 853,915 | 41,315 |
| FIRE PROTECTION | 126,300 | 126,045 | (255) |
| TOTAL | 12,954,500 | 13,336,803 | 382,303 |
| <i>OTHER OPERATING REVENUES:</i> | | | |
| MISCELLANEOUS SERVICE REVENUE | 101,700 | 119,259 | 17,559 |
| TOTAL OPERATING REVENUES | 13,056,200 | 13,456,062 | 399,862 |
| <u>NON-OPERATING REVENUES</u> | | | |
| INVESTMENT INCOME | 12,900 | 14,439 | 1,539 |
| GRANT REVENUE | 200 | 230 | 30 |
| REVENUE FOR CITY BILLING | 58,300 | 58,313 | 13 |
| MISCELLANEOUS INCOME | 27,900 | 36,132 | 8,232 |
| GAIN (LOSS) ON DISPOSITION OF PROPERTY | 9,722 | 9,722 | - |
| TOTAL NON-OPERATING REVENUES | 109,022 | 118,836 | 9,814 |
| REVENUES BEFORE CAPITAL CONTRIBUTIONS | 13,165,222 | 13,574,898 | 409,676 |
| <u>CAPITAL CONTRIBUTIONS</u> | | | |
| CAPITAL IMPROVEMENT CHARGES | 143,700 | 153,495 | 9,795 |
| CONTRIBUTED CAPITAL - CASH | 106,100 | 474,427 | 368,327 |
| CONTRIBUTED CAPITAL - NONCASH | - | 159,693 | 159,693 |
| TOTAL CAPITAL CONTRIBUTIONS | 249,800 | 787,615 | 537,815 |
| TOTAL REVENUES | \$ 13,415,022 | \$ 14,362,513 | \$ 947,491 |

NATURAL GAS REVENUES

| | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|--|------------------------------|----------------------------|--------------------------------------|
| <u>OPERATING REVENUES</u> | | | |
| <i>SALES OF GAS:</i> | | | |
| <i>RESIDENTIAL SALES:</i> | | | |
| INSIDE CITY | \$ 1,088,400 | \$ 1,081,772 | \$ (6,628) |
| OUTSIDE CITY | 184,700 | 185,276 | 576 |
| <i>GENERAL SERVICE:</i> | | | |
| INSIDE CITY | 2,486,300 | 2,498,975 | 12,675 |
| OUTSIDE CITY | 358,800 | 359,334 | 534 |
| <i>HEAT ONLY:</i> | | | |
| RESIDENTIAL | 11,000 | 10,703 | (297) |
| GENERAL SERVICE | 2,300 | 2,199 | (101) |
| <i>PURCHASED GAS ADJUSTMENT:</i> | | | |
| RESIDENTIAL | 13,448 | (20,233) | (33,681) |
| GENERAL SERVICE | 606,728 | 467,063 | (139,665) |
| COMPRESSED NATURAL GAS | 1,000 | 1,200 | 200 |
| UNBILLED SERVICE REVENUE | - | 9,100 | 9,100 |
| TOTAL | 4,752,676 | 4,595,389 | (157,287) |
| <i>OTHER OPERATING REVENUES:</i> | | | |
| MISCELLANEOUS SERVICE REVENUE | 63,600 | 52,588 | (11,012) |
| TOTAL OPERATING REVENUES | 4,816,276 | 4,647,977 | (168,299) |
| <u>NON-OPERATING REVENUES</u> | | | |
| INVESTMENT INCOME | 4,800 | (136,226) | (141,026) |
| GRANT REVENUE | 33 | 33 | - |
| RENTAL INCOME | 380 | - | (380) |
| REVENUE FOR CITY BILLING | 1,198 | 1,198 | - |
| GAS PIPING & APPLIANCE SALES | 30,500 | 57,844 | 27,344 |
| GAS PIPING & APPLIANCE COSTS | (24,900) | (35,718) | (10,818) |
| MISCELLANEOUS INCOME | 1,800 | 1,865 | 65 |
| GAIN (LOSS) ON DISPOSITION OF PROPERTY | 46 | 46 | - |
| TOTAL NON-OPERATING REVENUES | 13,857 | (110,958) | (124,815) |
| REVENUES BEFORE CAPITAL CONTRIBUTIONS | 4,830,133 | 4,537,019 | (293,114) |
| <u>CONTRIBUTED CAPITAL - CASH</u> | 765 | 1,030 | 265 |
| TOTAL REVENUES | \$ 4,830,898 | \$ 4,538,049 | \$ (292,849) |

WASTEWATER REVENUES

| | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|--|------------------------------|----------------------------|--------------------------------------|
| <u>OPERATING REVENUES</u> | | | |
| <i>WASTEWATER CHARGES:</i> | | | |
| <i>RESIDENTIAL:</i> | | | |
| INSIDE CITY | \$ 4,508,900 | \$ 4,545,949 | \$ 37,049 |
| OUTSIDE CITY | 547,800 | 552,684 | 4,884 |
| <i>GENERAL SERVICE:</i> | | | |
| INSIDE CITY | 4,781,200 | 4,951,903 | 170,703 |
| OUTSIDE CITY | 1,007,700 | 1,070,025 | 62,325 |
| REVENUE FROM ST. LUCIE COUNTY | 375,100 | 374,293 | (807) |
| UNBILLED SERVICE REVENUE | - | 46,200 | 46,200 |
| TOTAL | 11,220,700 | 11,541,054 | 320,354 |
| <i>OTHER OPERATING REVENUES:</i> | | | |
| OTHER WASTEWATER REVENUES | 121,600 | 142,707 | 21,107 |
| TOTAL OPERATING REVENUES | 11,342,300 | 11,683,761 | 341,461 |
| <u>NON-OPERATING REVENUES</u> | | | |
| INVESTMENT INCOME | 11,500 | 12,464 | 964 |
| GRANT REVENUE | 195 | 195 | - |
| REVENUE FOR CITY BILLING | 43,700 | 43,711 | 11 |
| MISCELLANEOUS INCOME | 2,100 | 3,297 | 1,197 |
| GAIN (LOSS) ON DISPOSITION OF PROPERTY | 1,800 | 1,857 | 57 |
| TOTAL NON-OPERATING REVENUES | 59,295 | 61,524 | 2,229 |
| REVENUES BEFORE CAPITAL CONTRIBUTIONS | 11,401,595 | 11,745,285 | 343,690 |
| <u>CAPITAL CONTRIBUTIONS</u> | | | |
| CAPITAL IMPROVEMENT CHARGES | 54,700 | 86,001 | 31,301 |
| CONTRIBUTED CAPITAL - CASH | - | 13,934 | 13,934 |
| CONTRIBUTED CAPITAL - NONCASH | - | 172,229 | 172,229 |
| TOTAL CAPITAL CONTRIBUTIONS | 54,700 | 272,164 | 217,464 |
| TOTAL REVENUES | \$ 11,456,295 | \$ 12,017,449 | \$ 561,154 |

MANATEE OBSERVATION & EDUCATION CENTER REVENUES

| | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|--|------------------------------|----------------------------|--------------------------------------|
| <u>OPERATING REVENUES</u> | | | |
| FPUA CONTRIBUTION | \$ 179,824 | \$ 179,941 | \$ 117 |
| GIFT SHOP SALES | 109,400 | 100,923 | (8,477) |
| BOAT TOURS | 36,100 | 35,088 | (1,012) |
| DONATIONS | 2,000 | 1,642 | (358) |
| ADMISSIONS | 14,500 | 14,282 | (218) |
| TEACHING INCOME & CAMPS | 20,300 | 15,641 | (4,659) |
| MEMBERSHIPS | 1,200 | 220 | (980) |
| FUND RAISING INCOME | 1,000 | - | (1,000) |
| <i>TOTAL OPERATING REVENUES</i> | 364,324 | 347,737 | (16,587) |
| <u>NON-OPERATING REVENUES</u> | | | |
| INVESTMENT AND OTHER INCOME | 250 | 313 | 63 |
| GRANT REVENUE | 5,000 | 6,670 | 1,670 |
| GAIN (LOSS) ON DISPOSITION OF PROPERTY | 5,200 | 3,354 | (1,846) |
| <i>TOTAL NON-OPERATING REVENUES</i> | 10,450 | 10,337 | (113) |
| <i>TOTAL REVENUES</i> | \$ 374,774 | \$ 358,074 | \$ (16,700) |

FPUAnet COMMUNICATIONS REVENUES

| | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|--|---------------------------------|---------------------------------|--------------------------------------|
| <u>OPERATING REVENUES</u> | | | |
| DEDICATED INTERNET ACCESS | \$ 198,307 | \$ 188,059 | \$ (10,248) |
| COMMON CARRIER TELECOM SERVICES | 63,000 | 63,000 | - |
| FIBER BANDWIDTH CONNECTIONS | 107,665 | 111,081 | 3,416 |
| DARK FIBER TRANSMISSION | 18,983 | 24,571 | 5,588 |
| WIRELESS BROADBAND INTERNET ACCESS | 6,065 | 4,134 | (1,931) |
| WIRELESS BANDWIDTH CONNECTIONS | <u>5,379</u> | <u>4,080</u> | <u>(1,299)</u> |
| <i>TOTAL OPERATING REVENUES</i> | 399,399 | 394,925 | (4,474) |
| <u>NON-OPERATING REVENUES</u> | | | |
| GRANT REVENUE | <u>-</u> | <u>22</u> | <u>22</u> |
| <i>TOTAL NON-OPERATING REVENUES</i> | <u>-</u> | <u>22</u> | <u>22</u> |
| <i>REVENUES BEFORE CAPITAL CONTRIBUTIONS</i> | 399,399 | 394,947 | (4,452) |
| <u>CONTRIBUTED CAPITAL - CASH</u> | <u>12,900</u> | <u>49,255</u> | <u>36,355</u> |
| <i>TOTAL REVENUES</i> | <u><u>\$ 412,299</u></u> | <u><u>\$ 444,202</u></u> | <u><u>\$ 31,903</u></u> |

TREASURE COAST ENERGY CENTER REVENUES

| | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|--------------------------------------|-----------------------------------|-----------------------------------|--------------------------------------|
| <u>NON-OPERATING REVENUES</u> | | | |
| FMPA O&M CONTRACT INCOME | <u>\$ 1,661,095</u> | <u>\$ 1,653,680</u> | <u>\$ (7,415)</u> |
| <i>TOTAL NON-OPERATING REVENUES</i> | <u>1,661,095</u> | <u>1,653,680</u> | <u>(7,415)</u> |
| <i>TOTAL REVENUES</i> | <u><u>\$ 1,661,095</u></u> | <u><u>\$ 1,653,680</u></u> | <u><u>\$ (7,415)</u></u> |

DEPT. 01 - MANATEE OBSERVATION & EDUCATION CENTER

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|------------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 127,301 | \$ 125,729 | \$ (1,572) |
| 1020 | OVERTIME | 500 | 126 | (374) |
| 2110 | ADVERTISING | 7,564 | 7,939 | 375 |
| 2131 | MAINTENANCE OF BUILDINGS | 5,747 | 12,301 | 6,554 |
| 2132 | MAINTENANCE OF VEHICLES | 450 | - | (450) |
| 2133 | MAINTENANCE OF EQUIPMENT | 400 | 292 | (108) |
| 2139 | MAINTENANCE CONTRACTS | 15,000 | 12,503 | (2,497) |
| 2140 | POSTAGE | 1,600 | 923 | (677) |
| 2151 | PRINTING | 1,400 | 236 | (1,164) |
| 2166 | PROFESSIONAL FEES - OTHER | 2,700 | 694 | (2,006) |
| 2170 | TRAINING | 475 | 239 | (236) |
| 2171 | TRAVEL | 300 | 164 | (136) |
| 2172 | CAR ALLOWANCE | 3,300 | 3,300 | - |
| 2190 | COMMUNICATIONS | 3,810 | 3,245 | (565) |
| 2200 | UTILITIES | 10,600 | 10,262 | (338) |
| 2230 | EMPLOYEE/VOLUNTEER RELATIONS | 4,200 | 2,967 | (1,233) |
| 2250 | COMMUNITY RELATIONS | - | 1,000 | 1,000 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 310 | 110 | (200) |
| 2262 | MEMBERSHIPS - CIVIC | 250 | 50 | (200) |
| 3311 | OFFICE SUPPLIES | 2,500 | 3,015 | 515 |
| 3316 | OPERATING SUPPLIES | 46,500 | 46,646 | 146 |
| 3331 | GAS, OIL & LUBRICANTS | 200 | 167 | (33) |
| 4010 | COST OF GOODS SOLD | 52,000 | 47,949 | (4,051) |
| 4015 | SALES DISCOUNTS | 6,000 | 7,411 | 1,411 |
| 4020 | CASH (OVER) SHORT | 125 | 140 | 15 |
| 4050 | RETIREMENT | 23,656 | 14,234 | (9,422) |
| 4060 | FICA | 9,777 | 9,216 | (561) |
| 4070 | EMPLOYEES' INSURANCE | 26,889 | 22,660 | (4,229) |
| 4090 | VACATION PAY EXPENSE | - | (418) | (418) |
| 4100 | SICK PAY EXPENSE | - | 3,736 | 3,736 |
| 4110 | NET OPEB EXPENSE | 409 | 409 | - |
| 4520 | LICENSES & PERMITS | 100 | 88 | (12) |
| 4600 | WORKERS' COMPENSATION | 512 | 1,192 | 680 |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 3,286 | 2,899 | (387) |
| 4666 | INVENTORY ADJUSTMENTS | 800 | 509 | (291) |
| 5730 | BANK CHARGES | 4,200 | 3,801 | (399) |
| 9000 | DISTRIBUTION TO CITY OF FT. PIERCE | 2,024 | 2,024 | - |
| 9030 | DEPRECIATION EXPENSE | 9,889 | 10,316 | 427 |
| | TOTALS | <u>\$ 374,774</u> | <u>\$ 358,074</u> | <u>\$ (16,700)</u> |

DEPT. 02 - TREASURE COAST ENERGY CENTER

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 977,869 | \$ 1,011,359 | \$ 33,490 |
| 1020 | OVERTIME | 195,000 | 230,510 | 35,510 |
| 2170 | TRAINING | 765 | 389 | (376) |
| 2172 | CAR ALLOWANCE | 10,320 | 10,320 | - |
| 3316 | OPERATING SUPPLIES | 2,040 | 1,132 | (908) |
| 4050 | RETIREMENT | 182,476 | 150,939 | (31,537) |
| 4060 | FICA | 89,724 | 90,809 | 1,085 |
| 4070 | EMPLOYEES' INSURANCE | 183,982 | 153,067 | (30,915) |
| 4090 | VACATION PAY EXPENSE | - | (9,158) | (9,158) |
| 4100 | SICK PAY EXPENSE | - | (3,319) | (3,319) |
| 4110 | NET OPEB EXPENSE | 3,067 | 3,067 | - |
| 4600 | WORKERS' COMPENSATION | 11,148 | 10,101 | (1,047) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 4,704 | 4,464 | (240) |
| | TOTALS | <u>\$ 1,661,095</u> | <u>\$ 1,653,680</u> | <u>\$ (7,415)</u> |

DEPT. 10 - BOARD

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 17,936 | \$ 18,005 | \$ 69 |
| 2170 | TRAINING | 14,247 | 9,456 | (4,791) |
| 2171 | TRAVEL | 600 | 451 | (149) |
| 2172 | CAR ALLOWANCE | 11,800 | 11,934 | 134 |
| 2240 | BUSINESS RELATIONS | - | 426 | 426 |
| 2262 | MEMBERSHIPS - CIVIC | 1,341 | 1,315 | (26) |
| 4060 | FICA | 1,372 | 1,546 | 174 |
| 4070 | EMPLOYEES' INSURANCE | 51,016 | 44,037 | (6,979) |
| 4600 | WORKERS' COMPENSATION | 300 | 267 | (33) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 72 | 66 | (6) |
| | TOTALS | <u>\$ 98,684</u> | <u>\$ 87,503</u> | <u>\$ (11,181)</u> |

DEPT. 11 - DIRECTOR OF UTILITIES

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 200,719 | \$ 201,051 | \$ 332 |
| 1020 | OVERTIME | 1,000 | 817 | (183) |
| 2139 | MAINTENANCE CONTRACTS | 660 | 666 | 6 |
| 2151 | PRINTING | 500 | - | (500) |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 4,575 | - | (4,575) |
| 2170 | TRAINING | 4,007 | 4,441 | 434 |
| 2171 | TRAVEL | 580 | 955 | 375 |
| 2172 | CAR ALLOWANCE | 5,160 | 5,160 | - |
| 2190 | COMMUNICATIONS | 760 | 868 | 108 |
| 2230 | EMPLOYEE RELATIONS | 765 | 614 | (151) |
| 2240 | BUSINESS RELATIONS | 1,100 | 1,042 | (58) |
| 2250 | COMMUNITY RELATIONS | 5 | 5 | - |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 510 | 536 | 26 |
| 2262 | MEMBERSHIPS - CIVIC | 1,530 | 675 | (855) |
| 3311 | OFFICE SUPPLIES | 1,300 | 1,459 | 159 |
| 3313 | SUBSCRIPTIONS | 133 | 150 | 17 |
| 3316 | OPERATING SUPPLIES | - | 107 | 107 |
| 4050 | RETIREMENT | 37,338 | 34,157 | (3,181) |
| 4060 | FICA | 15,432 | 12,498 | (2,934) |
| 4070 | EMPLOYEES' INSURANCE | 28,328 | 23,857 | (4,471) |
| 4080 | EMPLOYEE SUGGESTIONS & AWARDS | 1,020 | - | (1,020) |
| 4090 | VACATION PAY EXPENSE | - | 2,542 | 2,542 |
| 4100 | SICK PAY EXPENSE | - | 1,393 | 1,393 |
| 4110 | NET OPEB EXPENSE | 409 | 409 | - |
| 4520 | LICENSES & PERMITS | 130 | 130 | - |
| 4600 | WORKERS' COMPENSATION | 300 | 272 | (28) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 1,324 | 1,200 | (124) |
| 9030 | DEPRECIATION EXPENSE | 1,387 | 1,549 | 162 |
| | TOTALS | <u>\$ 308,972</u> | <u>\$ 296,553</u> | <u>\$ (12,419)</u> |

DEPT. 12 - ATTORNEY

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|---------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 90,753 | \$ 91,106 | \$ 353 |
| 2166 | PROFESSIONAL FEES - OTHER | 20,400 | 847 | (19,553) |
| 2170 | TRAINING | 2,500 | 645 | (1,855) |
| 2171 | TRAVEL | 200 | - | (200) |
| 3311 | OFFICE SUPPLIES | 50 | - | (50) |
| 3313 | SUBSCRIPTIONS | 134 | 156 | 22 |
| 4070 | EMPLOYEES' INSURANCE | 13,832 | 11,752 | (2,080) |
| 4600 | WORKERS' COMPENSATION | 84 | 78 | (6) |
| | TOTALS | <u>\$ 127,953</u> | <u>\$ 104,584</u> | <u>\$ (23,369)</u> |

DEPT. 15 - HUMAN RESOURCES

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 199,359 | \$ 212,326 | \$ 12,967 |
| 1020 | OVERTIME | 500 | 400 | (100) |
| 2110 | ADVERTISING | 10,500 | 14,616 | 4,116 |
| 2139 | MAINTENANCE CONTRACTS | 648 | 734 | 86 |
| 2140 | POSTAGE | 200 | 131 | (69) |
| 2151 | PRINTING | 100 | 99 | (1) |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 28,500 | 16,065 | (12,435) |
| 2166 | PROFESSIONAL FEES - OTHER | 50,000 | 39,150 | (10,850) |
| 2170 | TRAINING | 22,000 | 16,305 | (5,695) |
| 2171 | TRAVEL | 120 | 13 | (107) |
| 2172 | CAR ALLOWANCE | 3,300 | 3,410 | 110 |
| 2190 | COMMUNICATIONS | 1,940 | 1,080 | (860) |
| 2230 | EMPLOYEE RELATIONS | 1,500 | 1,727 | 227 |
| 2240 | BUSINESS RELATIONS | 70 | 70 | - |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 1,000 | 1,041 | 41 |
| 3311 | OFFICE SUPPLIES | 3,000 | 4,843 | 1,843 |
| 3313 | SUBSCRIPTIONS | 2,000 | 1,843 | (157) |
| 4050 | RETIREMENT | 36,994 | 36,322 | (672) |
| 4060 | FICA | 15,289 | 15,447 | 158 |
| 4070 | EMPLOYEES' INSURANCE | 46,775 | 38,989 | (7,786) |
| 4080 | EMPLOYEE SUGGESTIONS & AWARDS | 9,000 | 7,661 | (1,339) |
| 4090 | VACATION PAY EXPENSE | - | 925 | 925 |
| 4100 | SICK PAY EXPENSE | - | (5,288) | (5,288) |
| 4110 | NET OPEB EXPENSE | 818 | 818 | - |
| 4600 | WORKERS' COMPENSATION | 240 | 213 | (27) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 1,850 | 1,610 | (240) |
| 9030 | DEPRECIATION EXPENSE | 2,105 | 2,352 | 247 |
| | TOTALS | <u>\$ 437,808</u> | <u>\$ 412,902</u> | <u>\$ (24,906)</u> |

DEPT. 18 - RISK MANAGEMENT

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 289,768 | \$ 286,108 | \$ (3,660) |
| 1020 | OVERTIME | 300 | 302 | 2 |
| 2132 | MAINTENANCE OF VEHICLES | 2,500 | 868 | (1,632) |
| 2140 | POSTAGE | 100 | 69 | (31) |
| 2151 | PRINTING | 50 | 86 | 36 |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 43,000 | 47,743 | 4,743 |
| 2166 | PROFESSIONAL FEES - OTHER | 9,500 | 5,780 | (3,720) |
| 2170 | TRAINING | 10,179 | 9,504 | (675) |
| 2171 | TRAVEL | 100 | 6 | (94) |
| 2172 | CAR ALLOWANCE | 6,600 | 6,600 | - |
| 2190 | COMMUNICATIONS | 960 | 947 | (13) |
| 2230 | EMPLOYEE RELATIONS | 3,443 | 3,479 | 36 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 1,700 | 1,895 | 195 |
| 3311 | OFFICE SUPPLIES | 5,100 | 2,952 | (2,148) |
| 3313 | SUBSCRIPTIONS | 350 | 201 | (149) |
| 3331 | GAS, OIL & LUBRICANTS | 1,300 | 1,192 | (108) |
| 4050 | RETIREMENT | 30,517 | 27,459 | (3,058) |
| 4060 | FICA | 22,190 | 20,862 | (1,328) |
| 4070 | EMPLOYEES' INSURANCE | 67,983 | 57,365 | (10,618) |
| 4080 | EMPLOYEE SUGGESTIONS & AWARDS | 6,500 | 6,268 | (232) |
| 4090 | VACATION PAY EXPENSE | - | (3,273) | (3,273) |
| 4100 | SICK PAY EXPENSE | - | 3,182 | 3,182 |
| 4110 | NET OPEB EXPENSE | 1,022 | 1,022 | - |
| 4600 | WORKERS' COMPENSATION | 480 | 432 | (48) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 2,625 | 2,330 | (295) |
| | TOTALS | <u>\$ 506,267</u> | <u>\$ 483,379</u> | <u>\$ (22,888)</u> |

DEPT. 21 - FINANCE

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 533,633 | \$ 533,707 | \$ 74 |
| 1020 | OVERTIME | 200 | 89 | (111) |
| 2110 | ADVERTISING | 1,400 | 1,513 | 113 |
| 2139 | MAINTENANCE CONTRACTS | 2,600 | 2,620 | 20 |
| 2140 | POSTAGE | 12 | 12 | - |
| 2151 | PRINTING | - | (70) | (70) |
| 2161 | PROFESSIONAL FEES - AUDIT | 36,200 | 42,890 | 6,690 |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 8,300 | 11,567 | 3,267 |
| 2166 | PROFESSIONAL FEES - OTHER | 20,000 | 20,000 | - |
| 2170 | TRAINING | 12,575 | 7,686 | (4,889) |
| 2171 | TRAVEL | 300 | 281 | (19) |
| 2172 | CAR ALLOWANCE | 5,160 | 5,160 | - |
| 2190 | COMMUNICATIONS | 2,030 | 2,031 | 1 |
| 2230 | EMPLOYEE RELATIONS | - | 70 | 70 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 950 | 1,660 | 710 |
| 3311 | OFFICE SUPPLIES | 5,200 | 5,630 | 430 |
| 3313 | SUBSCRIPTIONS | 275 | 285 | 10 |
| 4020 | CASH (OVER) SHORT | - | (1,045) | (1,045) |
| 4050 | RETIREMENT | 91,689 | 83,963 | (7,726) |
| 4060 | FICA | 40,838 | 38,612 | (2,226) |
| 4070 | EMPLOYEES' INSURANCE | 130,144 | 114,407 | (15,737) |
| 4090 | VACATION PAY EXPENSE | - | 559 | 559 |
| 4100 | SICK PAY EXPENSE | - | (1,471) | (1,471) |
| 4110 | NET OPEB EXPENSE | 2,249 | 2,249 | - |
| 4600 | WORKERS' COMPENSATION | 660 | 594 | (66) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 6,120 | 5,458 | (662) |
| 4640 | UNEMPLOYMENT CLAIMS | 28,316 | - | (28,316) |
| 5730 | BANK CHARGES | 234,000 | 245,932 | 11,932 |
| 9030 | DEPRECIATION EXPENSE | 716 | 400 | (316) |
| | TOTALS | <u>\$ 1,163,567</u> | <u>\$ 1,124,789</u> | <u>\$ (38,778)</u> |

DEPT. 22 - MATERIALS MANAGEMENT

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 165,079 | \$ 164,386 | \$ (693) |
| 1020 | OVERTIME | 2,000 | 3,918 | 1,918 |
| 2132 | MAINTENANCE OF VEHICLES | 1,000 | 1,661 | 661 |
| 2133 | MAINTENANCE OF EQUIPMENT | 3,150 | 4,087 | 937 |
| 2139 | MAINTENANCE CONTRACTS | 6,500 | 150 | (6,350) |
| 2140 | POSTAGE | 300 | 37 | (263) |
| 2151 | PRINTING | 985 | 552 | (433) |
| 2170 | TRAINING | 1,620 | 2,257 | 637 |
| 2171 | TRAVEL | 226 | 193 | (33) |
| 2190 | COMMUNICATIONS | 2,860 | 2,765 | (95) |
| 2200 | UTILITIES | 28,750 | 26,935 | (1,815) |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 300 | 25 | (275) |
| 3311 | OFFICE SUPPLIES | 1,395 | 1,415 | 20 |
| 3316 | OPERATING SUPPLIES | 15,415 | 5,055 | (10,360) |
| 3331 | GAS, OIL & LUBRICANTS | 1,821 | 2,949 | 1,128 |
| 3340 | SMALL TOOLS | 940 | 1,038 | 98 |
| 4050 | RETIREMENT | 30,926 | 23,262 | (7,664) |
| 4060 | FICA | 12,782 | 9,825 | (2,957) |
| 4070 | EMPLOYEES' INSURANCE | 47,793 | 42,755 | (5,038) |
| 4090 | VACATION PAY EXPENSE | - | 5,955 | 5,955 |
| 4100 | SICK PAY EXPENSE | - | 761 | 761 |
| 4110 | NET OPEB EXPENSE | 1,022 | 1,022 | - |
| 4520 | LICENSES & PERMITS | 2,075 | 50 | (2,025) |
| 4600 | WORKERS' COMPENSATION | 2,934 | 2,526 | (408) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 39,662 | 30,803 | (8,859) |
| 4666 | INVENTORY ADJUSTMENTS | 10,000 | 2,352 | (7,648) |
| 9030 | DEPRECIATION EXPENSE | 32,797 | 32,549 | (248) |
| | TOTALS | <u>\$ 412,332</u> | <u>\$ 369,283</u> | <u>\$ (43,049)</u> |

DEPT. 31 - DIRECTOR OF SHARED SERVICES

| <u>CODE</u> | <u>DESCRIPTION</u> | <u>AMENDED BUDGET FY 2013</u> | <u>FINAL BUDGET FY 2013</u> | <u>DIFFERENCE INCREASE (DECREASE)</u> |
|-------------|-------------------------------|---------------------------------------|-------------------------------------|---|
| 1010 | SALARIES & WAGES | \$ 100,937 | \$ 100,938 | \$ 1 |
| 2122 | RENTALS | - | (23) | (23) |
| 2151 | PRINTING | - | 21 | 21 |
| 2170 | TRAINING | 1,300 | 708 | (592) |
| 2172 | CAR ALLOWANCE | 5,160 | 5,160 | - |
| 2190 | COMMUNICATIONS | 940 | 872 | (68) |
| 2240 | BUSINESS RELATIONS | - | 31 | 31 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 165 | - | (165) |
| 3311 | OFFICE SUPPLIES | 50 | 53 | 3 |
| 3316 | OPERATING SUPPLIES | 100 | 49 | (51) |
| 4050 | RETIREMENT | 18,683 | 17,381 | (1,302) |
| 4060 | FICA | 7,722 | 7,646 | (76) |
| 4070 | EMPLOYEES' INSURANCE | 18,089 | 15,297 | (2,792) |
| 4090 | VACATION PAY EXPENSE | - | 4,886 | 4,886 |
| 4100 | SICK PAY EXPENSE | - | 893 | 893 |
| 4110 | NET OPEB EXPENSE | 204 | 205 | 1 |
| 4600 | WORKERS' COMPENSATION | 60 | 53 | (7) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 640 | 571 | (69) |
| | TOTALS | <u>\$ 154,050</u> | <u>\$ 154,741</u> | <u>\$ 691</u> |

DEPT. 32 - INFORMATION TECHNOLOGY SERVICES

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 812,036 | \$ 779,570 | \$ (32,466) |
| 1020 | OVERTIME | 1,500 | 715 | (785) |
| 2110 | ADVERTISING | 35,000 | 10,504 | (24,496) |
| 2132 | MAINTENANCE OF VEHICLES | 2,000 | 1,573 | (427) |
| 2139 | MAINTENANCE CONTRACTS | 509,000 | 453,293 | (55,707) |
| 2140 | POSTAGE | 500 | 613 | 113 |
| 2151 | PRINTING | 100 | 57 | (43) |
| 2166 | PROFESSIONAL FEES - OTHER | 5,451 | 10,600 | 5,149 |
| 2170 | TRAINING | 25,871 | 23,181 | (2,690) |
| 2171 | TRAVEL | 825 | 946 | 121 |
| 2172 | CAR ALLOWANCE | 9,900 | 9,900 | - |
| 2190 | COMMUNICATIONS | 15,100 | 13,779 | (1,321) |
| 2230 | EMPLOYEE RELATIONS | 500 | 500 | - |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 350 | 350 | - |
| 3311 | OFFICE SUPPLIES | 3,800 | 3,689 | (111) |
| 3313 | SUBSCRIPTIONS | 150 | 156 | 6 |
| 3316 | OPERATING SUPPLIES | 240,000 | 239,195 | (805) |
| 3331 | GAS, OIL & LUBRICANTS | 4,080 | 2,529 | (1,551) |
| 3340 | SMALL TOOLS | 300 | 247 | (53) |
| 4050 | RETIREMENT | 150,586 | 135,649 | (14,937) |
| 4060 | FICA | 62,236 | 60,117 | (2,119) |
| 4070 | EMPLOYEES' INSURANCE | 158,988 | 132,408 | (26,580) |
| 4090 | VACATION PAY EXPENSE | - | 118 | 118 |
| 4100 | SICK PAY EXPENSE | - | (8,859) | (8,859) |
| 4110 | NET OPEB EXPENSE | 3,476 | 3,476 | - |
| 4520 | LICENSES | 1,125 | 844 | (281) |
| 4600 | WORKERS' COMPENSATION | 972 | 853 | (119) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 14,985 | 10,273 | (4,712) |
| 4640 | UNEMPLOYMENT CLAIMS | 1,650 | 1,925 | 275 |
| 9030 | DEPRECIATION EXPENSE | 148,884 | 159,761 | 10,877 |
| | TOTALS | <u>\$ 2,209,365</u> | <u>\$ 2,047,962</u> | <u>\$ (161,403)</u> |

DEPT. 33 - FEDERAL BUILDING

| <u>CODE</u> | <u>DESCRIPTION</u> | <u>AMENDED BUDGET FY 2013</u> | <u>FINAL BUDGET FY 2013</u> | <u>DIFFERENCE INCREASE (DECREASE)</u> |
|-------------|-------------------------------|---------------------------------------|-------------------------------------|---|
| 1010 | SALARIES & WAGES | \$ 1,000 | \$ - | \$ (1,000) |
| 2131 | MAINTENANCE OF BUILDINGS | 15,000 | 9,880 | (5,120) |
| 2133 | MAINTENANCE OF EQUIPMENT | - | (201) | (201) |
| 2139 | MAINTENANCE CONTRACTS | 13,000 | 5,267 | (7,733) |
| 2166 | PROFESSIONAL FEES - OTHER | 8,000 | - | (8,000) |
| 2200 | UTILITIES | 16,060 | 14,828 | (1,232) |
| 3316 | OPERATING SUPPLIES | 364 | - | (364) |
| 4509 | OTHER TAXES | 1,757 | 1,757 | - |
| 4520 | LICENSES & PERMITS | 78 | - | (78) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 13,296 | 10,275 | (3,021) |
| 9030 | DEPRECIATION EXPENSE | 26,694 | 29,657 | 2,963 |
| | TOTALS | <u>\$ 95,249</u> | <u>\$ 71,463</u> | <u>\$ (23,786)</u> |

DEPT. 35 - FACILITIES

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 203,474 | \$ 208,660 | \$ 5,186 |
| 1020 | OVERTIME | 4,000 | 1,438 | (2,562) |
| 2122 | RENTALS | 3,068 | 7,575 | 4,507 |
| 2131 | MAINTENANCE OF BUILDINGS | 46,620 | 21,770 | (24,850) |
| 2132 | MAINTENANCE OF VEHICLES | 6,000 | 5,957 | (43) |
| 2133 | MAINTENANCE OF EQUIPMENT | 200 | - | (200) |
| 2139 | MAINTENANCE CONTRACTS | 79,415 | 77,177 | (2,238) |
| 2140 | POSTAGE | 5,000 | 6,542 | 1,542 |
| 2151 | PRINTING | 260 | - | (260) |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 4,000 | - | (4,000) |
| 2166 | PROFESSIONAL FEES - OTHER | 7,121 | 2,805 | (4,316) |
| 2170 | TRAINING | 3,395 | 1,994 | (1,401) |
| 2171 | TRAVEL | 400 | 202 | (198) |
| 2172 | CAR ALLOWANCE | 3,300 | 3,300 | - |
| 2190 | COMMUNICATIONS | 3,910 | 3,945 | 35 |
| 2200 | UTILITIES | 98,460 | 94,236 | (4,224) |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 606 | 1,082 | 476 |
| 3311 | OFFICE SUPPLIES | 1,560 | 2,476 | 916 |
| 3316 | OPERATING SUPPLIES | 6,120 | 6,185 | 65 |
| 3331 | GAS, OIL & LUBRICANTS | 6,500 | 6,876 | 376 |
| 3340 | SMALL TOOLS | 2,041 | 2,730 | 689 |
| 4050 | RETIREMENT | 38,589 | 40,908 | 2,319 |
| 4060 | FICA | 15,948 | 18,632 | 2,684 |
| 4070 | EMPLOYEES' INSURANCE | 41,661 | 35,308 | (6,353) |
| 4090 | VACATION PAY EXPENSE | - | 323 | 323 |
| 4100 | SICK PAY EXPENSE | - | 7,434 | 7,434 |
| 4110 | NET OPEB EXPENSE | 1,022 | 1,022 | - |
| 4520 | LICENSES & PERMITS | 156 | 170 | 14 |
| 4600 | WORKERS' COMPENSATION | 3,228 | 2,924 | (304) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 3,099 | 2,799 | (300) |
| 9030 | DEPRECIATION EXPENSE | 12,471 | 13,495 | 1,024 |
| | TOTALS | <u>\$ 601,624</u> | <u>\$ 577,965</u> | <u>\$ (23,659)</u> |

DEPT. 41 - COMMUNICATIONS

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 57,784 | \$ 56,991 | \$ (793) |
| 1020 | OVERTIME | 1,500 | 662 | (838) |
| 2110 | ADVERTISING | 4,696 | 5,956 | 1,260 |
| 2140 | POSTAGE | 2,101 | 18 | (2,083) |
| 2151 | PRINTING | 17,618 | 8,740 | (8,878) |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 1,121 | 375 | (746) |
| 2170 | TRAINING | 1,110 | 294 | (816) |
| 2171 | TRAVEL | - | 17 | 17 |
| 2172 | CAR ALLOWANCE | 3,300 | 3,300 | - |
| 2190 | COMMUNICATIONS | 5,540 | 12,321 | 6,781 |
| 2230 | EMPLOYEE RELATIONS | 13,827 | 10,906 | (2,921) |
| 2240 | BUSINESS RELATIONS | 2,757 | - | (2,757) |
| 2250 | COMMUNITY RELATIONS | 15,000 | 19,739 | 4,739 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 208 | 36 | (172) |
| 2262 | MEMBERSHIPS - CIVIC | 521 | - | (521) |
| 3311 | OFFICE SUPPLIES | 2,081 | 886 | (1,195) |
| 3313 | SUBSCRIPTIONS | 520 | 64 | (456) |
| 3316 | OPERATING SUPPLIES | 1,040 | 78 | (962) |
| 4050 | RETIREMENT | 10,973 | 9,822 | (1,151) |
| 4060 | FICA | 4,535 | 4,490 | (45) |
| 4070 | EMPLOYEES' INSURANCE | 10,654 | 10,063 | (591) |
| 4090 | VACATION PAY EXPENSE | - | 4,401 | 4,401 |
| 4100 | SICK PAY EXPENSE | - | (177) | (177) |
| 4110 | NET OPEB EXPENSE | 205 | 204 | (1) |
| 4600 | WORKERS' COMPENSATION | 60 | 53 | (7) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 516 | 466 | (50) |
| | TOTALS | <u>\$ 157,667</u> | <u>\$ 149,705</u> | <u>\$ (7,962)</u> |

DEPT. 43 - CUSTOMER SERVICE

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 952,154 | \$ 957,404 | \$ 5,250 |
| 1020 | OVERTIME | 2,000 | 4,333 | 2,333 |
| 2110 | ADVERTISING | 600 | 231 | (369) |
| 2122 | RENTALS | 1,637 | 1,476 | (161) |
| 2133 | MAINTENANCE OF EQUIPMENT | 3,289 | 449 | (2,840) |
| 2139 | MAINTENANCE CONTRACTS | 23,000 | 22,248 | (752) |
| 2140 | POSTAGE | 195,000 | 170,267 | (24,733) |
| 2151 | PRINTING | 30,000 | 27,057 | (2,943) |
| 2166 | PROFESSIONAL FEES - OTHER | 75,000 | 73,602 | (1,398) |
| 2170 | TRAINING | 12,892 | 9,485 | (3,407) |
| 2171 | TRAVEL | 60 | 39 | (21) |
| 2172 | CAR ALLOWANCE | 6,600 | 6,600 | - |
| 2190 | COMMUNICATIONS | 4,030 | 3,337 | (693) |
| 2240 | BUSINESS RELATIONS | 41 | 64 | 23 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 220 | 401 | 181 |
| 2262 | MEMBERSHIPS - CIVIC | 766 | 660 | (106) |
| 2290 | BILLING HOUSING AUTHORITY | 15,000 | 9,133 | (5,867) |
| 3311 | OFFICE SUPPLIES | 10,710 | 11,101 | 391 |
| 3313 | SUBSCRIPTIONS | 600 | 440 | (160) |
| 3316 | OPERATING SUPPLIES | 7,500 | 7,149 | (351) |
| 4020 | CASH (OVER) SHORT | 378 | 357 | (21) |
| 4050 | RETIREMENT | 154,941 | 144,386 | (10,555) |
| 4060 | FICA | 72,993 | 68,741 | (4,252) |
| 4070 | EMPLOYEES' INSURANCE | 310,177 | 267,000 | (43,177) |
| 4090 | VACATION PAY EXPENSE | - | (46) | (46) |
| 4100 | SICK PAY EXPENSE | - | (8,504) | (8,504) |
| 4110 | NET OPEB EXPENSE | 5,316 | 5,316 | - |
| 4600 | WORKERS' COMPENSATION | 1,596 | 1,413 | (183) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 13,711 | 12,416 | (1,295) |
| 9030 | DEPRECIATION EXPENSE | 14,894 | 30,282 | 15,388 |
| | TOTALS | <u>\$ 1,915,105</u> | <u>\$ 1,826,837</u> | <u>\$ (88,268)</u> |

DEPT. 51 - DIRECTOR OF ELECTRIC & GAS SYSTEMS

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 128,713 | \$ 126,416 | \$ (2,297) |
| 2110 | ADVERTISING | 500 | - | (500) |
| 2151 | PRINTING | 120 | - | (120) |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 50,000 | 5,224 | (44,776) |
| 2170 | TRAINING | 3,100 | 1,313 | (1,787) |
| 2171 | TRAVEL | 600 | 384 | (216) |
| 2172 | CAR ALLOWANCE | 5,160 | 5,160 | - |
| 2190 | COMMUNICATIONS | 1,620 | 1,515 | (105) |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 200 | 130 | (70) |
| 2262 | MEMBERSHIPS - CIVIC | 875 | - | (875) |
| 3311 | OFFICE SUPPLIES | 600 | 728 | 128 |
| 3313 | SUBSCRIPTIONS | 400 | - | (400) |
| 4050 | RETIREMENT | 10,765 | 9,971 | (794) |
| 4060 | FICA | 9,847 | 8,249 | (1,598) |
| 4070 | EMPLOYEES' INSURANCE | 18,220 | 15,473 | (2,747) |
| 4090 | VACATION PAY EXPENSE | - | 3,371 | 3,371 |
| 4110 | NET OPEB EXPENSE | 204 | 205 | 1 |
| 4600 | WORKERS' COMPENSATION | 240 | 202 | (38) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 812 | 749 | (63) |
| | TOTALS | <u>\$ 231,976</u> | <u>\$ 179,090</u> | <u>\$ (52,886)</u> |

DEPT. 52 - POWER GENERATION

| <u>CODE</u> | <u>DESCRIPTION</u> | <u>AMENDED BUDGET FY 2013</u> | <u>FINAL BUDGET FY 2013</u> | <u>DIFFERENCE INCREASE (DECREASE)</u> |
|-------------|-----------------------|---------------------------------------|-------------------------------------|---|
| 9050 | EXTRAORDINARY EXPENSE | <u>\$ 25,000</u> | <u>\$ 761,258</u> | <u>736,258</u> |
| | TOTALS | <u><u>\$ 25,000</u></u> | <u><u>\$ 761,258</u></u> | <u><u>\$ 736,258</u></u> |

DEPT. 53 - PURCHASES FOR RESALE

| <u>CODE</u> | <u>DESCRIPTION</u> | <u>AMENDED BUDGET FY 2013</u> | <u>FINAL BUDGET FY 2013</u> | <u>DIFFERENCE INCREASE (DECREASE)</u> |
|-------------|----------------------|---------------------------------------|-------------------------------------|---|
| 3360 | PURCHASES FOR RESALE | <u>\$ 44,844,423</u> | <u>\$ 42,947,570</u> | <u>\$ (1,896,853)</u> |
| | TOTALS | <u><u>\$ 44,844,423</u></u> | <u><u>\$ 42,947,570</u></u> | <u><u>\$ (1,896,853)</u></u> |

DEPT. 54 - ELECTRIC TRANSMISSION & DISTRIBUTION

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 2,533,315 | \$ 2,612,052 | \$ 78,737 |
| 1020 | OVERTIME | 160,000 | 145,412 | (14,588) |
| 2110 | ADVERTISING | 520 | - | (520) |
| 2122 | RENTALS | 23,500 | 20,465 | (3,035) |
| 2132 | MAINTENANCE OF VEHICLES | 51,000 | 51,518 | 518 |
| 2133 | MAINTENANCE OF EQUIPMENT | 15,914 | 7,833 | (8,081) |
| 2139 | MAINTENANCE CONTRACTS | 388,720 | 368,781 | (19,939) |
| 2140 | POSTAGE | 1,040 | 184 | (856) |
| 2151 | PRINTING | 3,121 | 1,571 | (1,550) |
| 2166 | PROFESSIONAL FEES - OTHER | 15,200 | 9,746 | (5,454) |
| 2170 | TRAINING | 50,396 | 43,213 | (7,183) |
| 2171 | TRAVEL | 1,200 | 1,246 | 46 |
| 2172 | CAR ALLOWANCE | 11,470 | 11,900 | 430 |
| 2190 | COMMUNICATIONS | 21,860 | 22,519 | 659 |
| 2200 | UTILITIES | 92,700 | 91,023 | (1,677) |
| 2230 | EMPLOYEE RELATIONS | 999 | 918 | (81) |
| 2240 | BUSINESS RELATIONS | 500 | 568 | 68 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 220 | 351 | 131 |
| 2262 | MEMBERSHIPS - CIVIC | 624 | 405 | (219) |
| 3311 | OFFICE SUPPLIES | 3,121 | 3,267 | 146 |
| 3313 | SUBSCRIPTIONS | 639 | 218 | (421) |
| 3316 | OPERATING SUPPLIES | 287,041 | 282,663 | (4,378) |
| 3331 | GAS, OIL & LUBRICANTS | 115,591 | 132,376 | 16,785 |
| 3340 | SMALL TOOLS | 15,000 | 15,179 | 179 |
| 4050 | RETIREMENT | 466,537 | 448,871 | (17,666) |
| 4060 | FICA | 206,039 | 212,870 | 6,831 |
| 4070 | EMPLOYEES' INSURANCE | 595,191 | 502,390 | (92,801) |
| 4090 | VACATION PAY EXPENSE | - | (200) | (200) |
| 4100 | SICK PAY EXPENSE | - | 23,648 | 23,648 |
| 4110 | NET OPEB EXPENSE | 10,633 | 10,632 | (1) |
| 4520 | LICENSES & PERMITS | 1,470 | 1,054 | (416) |
| 4600 | WORKERS' COMPENSATION | 46,221 | 35,166 | (11,055) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 162,951 | 135,085 | (27,866) |
| 9005 | DUPLICATE CHARGES - CREDIT | (51,633) | (51,308) | 325 |
| 9030 | DEPRECIATION EXPENSE | 4,645,969 | 4,382,620 | (263,349) |
| | TOTALS | <u>\$ 9,877,069</u> | <u>\$ 9,524,236</u> | <u>\$ (352,833)</u> |

DEPT. 56 - ELECTRIC & GAS ENGINEERING

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 529,606 | \$ 517,540 | \$ (12,066) |
| 1020 | OVERTIME | 9,000 | 8,881 | (119) |
| 2132 | MAINTENANCE OF VEHICLES | 1,678 | 1,790 | 112 |
| 2133 | MAINTENANCE OF EQUIPMENT | 1,750 | 63 | (1,687) |
| 2139 | MAINTENANCE CONTRACTS | 1,000 | 272 | (728) |
| 2140 | POSTAGE | 100 | - | (100) |
| 2151 | PRINTING | 1,200 | 952 | (248) |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 42,000 | 36,418 | (5,582) |
| 2166 | PROFESSIONAL FEES - OTHER | 324 | 324 | - |
| 2170 | TRAINING | 22,714 | 19,459 | (3,255) |
| 2171 | TRAVEL | 100 | - | (100) |
| 2172 | CAR ALLOWANCE | 15,770 | 13,577 | (2,193) |
| 2190 | COMMUNICATIONS | 4,860 | 5,502 | 642 |
| 2230 | EMPLOYEE RELATIONS | 165 | 165 | - |
| 2240 | BUSINESS RELATIONS | 85 | 127 | 42 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 1,000 | 130 | (870) |
| 3311 | OFFICE SUPPLIES | 2,300 | 2,956 | 656 |
| 3313 | SUBSCRIPTIONS | 1,500 | 139 | (1,361) |
| 3316 | OPERATING SUPPLIES | 3,000 | 1,346 | (1,654) |
| 3331 | GAS, OIL & LUBRICANTS | 3,500 | 3,644 | 144 |
| 4050 | RETIREMENT | 80,259 | 83,021 | 2,762 |
| 4060 | FICA | 41,203 | 40,076 | (1,127) |
| 4070 | EMPLOYEES' INSURANCE | 112,995 | 105,431 | (7,564) |
| 4090 | VACATION PAY EXPENSE | - | 5,012 | 5,012 |
| 4100 | SICK PAY EXPENSE | - | (30,379) | (30,379) |
| 4110 | NET OPEB EXPENSE | 1,636 | 1,636 | - |
| 4520 | LICENSES & PERMITS | 1,040 | - | (1,040) |
| 4600 | WORKERS' COMPENSATION | 2,916 | 2,645 | (271) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 4,555 | 5,449 | 894 |
| 9030 | DEPRECIATION EXPENSE | 2,945 | 3,290 | 345 |
| | TOTALS | <u>\$ 889,201</u> | <u>\$ 829,466</u> | <u>\$ (59,735)</u> |

DEPT. 61 - DIRECTOR OF WATER/WASTEWATER SYSTEMS

| <u>CODE</u> | <u>DESCRIPTION</u> | <u>AMENDED BUDGET FY 2013</u> | <u>FINAL BUDGET FY 2013</u> | <u>DIFFERENCE INCREASE (DECREASE)</u> |
|-------------|-------------------------------|---------------------------------------|-------------------------------------|---|
| 1010 | SALARIES & WAGES | \$ 119,709 | \$ 122,024 | \$ 2,315 |
| 2151 | PRINTING | 25 | 41 | 16 |
| 2170 | TRAINING | 1,000 | 50 | (950) |
| 2171 | TRAVEL | 500 | 54 | (446) |
| 2172 | CAR ALLOWANCE | 5,160 | 5,160 | - |
| 2190 | COMMUNICATIONS | 1,080 | 917 | (163) |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 3,866 | 3,485 | (381) |
| 3311 | OFFICE SUPPLIES | 800 | 1,327 | 527 |
| 3313 | SUBSCRIPTIONS | 250 | 111 | (139) |
| 4060 | FICA | 9,158 | 8,623 | (535) |
| 4070 | EMPLOYEES' INSURANCE | 14,062 | 11,835 | (2,227) |
| 4090 | VACATION PAY EXPENSE | - | (676) | (676) |
| 4100 | SICK PAY EXPENSE | - | 999 | 999 |
| 4110 | NET OPEB EXPENSE | 204 | 204 | - |
| 4600 | WORKERS' COMPENSATION | 60 | 53 | (7) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 641 | 585 | (56) |
| | TOTALS | <u>\$ 156,515</u> | <u>\$ 154,792</u> | <u>\$ (1,723)</u> |

DEPT. 62 - WATER RESOURCES

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 1,071,885 | \$ 1,057,087 | \$ (14,798) |
| 1020 | OVERTIME | 103,000 | 105,894 | 2,894 |
| 2122 | RENTALS | 3,121 | 1,828 | (1,293) |
| 2131 | MAINTENANCE OF BUILDINGS | 5,150 | 27 | (5,123) |
| 2132 | MAINTENANCE OF VEHICLES | 12,957 | 13,191 | 234 |
| 2133 | MAINTENANCE OF EQUIPMENT | 51,716 | 48,981 | (2,735) |
| 2139 | MAINTENANCE CONTRACTS | 220,000 | 154,249 | (65,751) |
| 2140 | POSTAGE | 520 | 196 | (324) |
| 2151 | PRINTING | 2,601 | 4,335 | 1,734 |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 45,000 | 15,095 | (29,905) |
| 2165 | TEMPORARY LABOR | 520 | - | (520) |
| 2166 | PROFESSIONAL FEES - OTHER | 20,808 | 17,191 | (3,617) |
| 2170 | TRAINING | 8,300 | 6,466 | (1,834) |
| 2171 | TRAVEL | - | 18 | 18 |
| 2172 | CAR ALLOWANCE | 5,160 | 5,160 | - |
| 2190 | COMMUNICATIONS | 16,340 | 16,025 | (315) |
| 2200 | UTILITIES | 1,037,560 | 1,003,756 | (33,804) |
| 2230 | EMPLOYEE RELATIONS | 610 | 434 | (176) |
| 2240 | BUSINESS RELATIONS | 23 | 23 | - |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 325 | 354 | 29 |
| 2262 | MEMBERSHIPS - CIVIC | 600 | 600 | - |
| 3311 | OFFICE SUPPLIES | 4,682 | 4,567 | (115) |
| 3313 | SUBSCRIPTIONS | 300 | 375 | 75 |
| 3316 | OPERATING SUPPLIES | 260,000 | 257,543 | (2,457) |
| 3320 | CHEMICALS | 830,000 | 623,864 | (206,136) |
| 3331 | GAS, OIL & LUBRICANTS | 29,651 | 28,730 | (921) |
| 3340 | SMALL TOOLS | 5,000 | 2,778 | (2,222) |
| 3360 | PURCHASES FOR RESALE | 4,621 | 9,277 | 4,656 |
| 4050 | RETIREMENT | 189,429 | 167,093 | (22,336) |
| 4060 | FICA | 89,879 | 85,745 | (4,134) |
| 4070 | EMPLOYEES' INSURANCE | 253,141 | 213,841 | (39,300) |
| 4090 | VACATION PAY EXPENSE | - | 3,782 | 3,782 |
| 4100 | SICK PAY EXPENSE | - | 21,887 | 21,887 |
| 4110 | NET OPEB EXPENSE | 4,703 | 4,702 | (1) |
| 4520 | LICENSES & PERMITS | 8,844 | 15,774 | 6,930 |
| 4600 | WORKERS' COMPENSATION | 28,903 | 24,119 | (4,784) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 148,498 | 118,461 | (30,037) |
| 4640 | UNEMPLOYMENT CLAIMS | 3,575 | 3,575 | - |
| 9030 | DEPRECIATION EXPENSE | 1,392,599 | 1,458,030 | 65,431 |
| | TOTALS | <u>\$ 5,860,021</u> | <u>\$ 5,495,053</u> | <u>\$ (364,968)</u> |

DEPT. 64 - WATER DISTRIBUTION

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 1,122,045 | \$ 1,090,727 | \$ (31,318) |
| 1020 | OVERTIME | 60,000 | 54,767 | (5,233) |
| 2110 | ADVERTISING | 112 | - | (112) |
| 2122 | RENTALS | 1,020 | 806 | (214) |
| 2132 | MAINTENANCE OF VEHICLES | 30,000 | 20,483 | (9,517) |
| 2133 | MAINTENANCE OF EQUIPMENT | 12,772 | 13,396 | 624 |
| 2139 | MAINTENANCE CONTRACTS | 130,000 | 55,851 | (74,149) |
| 2140 | POSTAGE | 43 | 28 | (15) |
| 2151 | PRINTING | 1,500 | 553 | (947) |
| 2166 | PROFESSIONAL FEES - OTHER | 7,140 | 5,872 | (1,268) |
| 2170 | TRAINING | 9,560 | 10,696 | 1,136 |
| 2171 | TRAVEL | 255 | - | (255) |
| 2190 | COMMUNICATIONS | 14,290 | 14,790 | 500 |
| 2200 | UTILITIES | 26,680 | 26,218 | (462) |
| 2230 | EMPLOYEE RELATIONS | 336 | 336 | - |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 459 | 474 | 15 |
| 3311 | OFFICE SUPPLIES | 5,100 | 5,864 | 764 |
| 3313 | SUBSCRIPTIONS | 262 | 158 | (104) |
| 3316 | OPERATING SUPPLIES | 130,680 | 162,663 | 31,983 |
| 3331 | GAS, OIL & LUBRICANTS | 88,332 | 92,498 | 4,166 |
| 3340 | SMALL TOOLS | 23,177 | 19,859 | (3,318) |
| 4050 | RETIREMENT | 212,721 | 184,448 | (28,273) |
| 4060 | FICA | 90,426 | 81,607 | (8,819) |
| 4070 | EMPLOYEES' INSURANCE | 297,967 | 254,701 | (43,266) |
| 4090 | VACATION PAY EXPENSE | - | 1,494 | 1,494 |
| 4100 | SICK PAY EXPENSE | - | 14,713 | 14,713 |
| 4110 | NET OPEB EXPENSE | 5,316 | 5,316 | - |
| 4520 | LICENSES & PERMITS | 6,250 | 6,018 | (232) |
| 4600 | WORKERS' COMPENSATION | 35,639 | 28,912 | (6,727) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 39,733 | 34,787 | (4,946) |
| 9030 | DEPRECIATION EXPENSE | 2,420,702 | 2,455,348 | 34,646 |
| | TOTALS | <u>\$ 4,772,517</u> | <u>\$ 4,643,383</u> | <u>\$ (129,134)</u> |

DEPT. 66 - WATER/WASTEWATER ENGINEERING

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 616,427 | \$ 604,484 | \$ (11,943) |
| 1020 | OVERTIME | 1,000 | 104 | (896) |
| 2132 | MAINTENANCE OF VEHICLES | 2,781 | 1,726 | (1,055) |
| 2133 | MAINTENANCE OF EQUIPMENT | 4,687 | 47 | (4,640) |
| 2139 | MAINTENANCE CONTRACTS | 600 | 200 | (400) |
| 2140 | POSTAGE | 510 | 11 | (499) |
| 2151 | PRINTING | - | (6) | (6) |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 2,000 | - | (2,000) |
| 2166 | PROFESSIONAL FEES - OTHER | 510 | 315 | (195) |
| 2170 | TRAINING | 6,724 | 3,667 | (3,057) |
| 2171 | TRAVEL | 100 | 262 | 162 |
| 2172 | CAR ALLOWANCE | 15,480 | 15,480 | - |
| 2190 | COMMUNICATIONS | 4,670 | 4,979 | 309 |
| 2200 | UTILITIES | 25,590 | 25,561 | (29) |
| 2230 | EMPLOYEE RELATIONS | 162 | 237 | 75 |
| 2240 | BUSINESS RELATIONS | 262 | - | (262) |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 1,561 | 2,078 | 517 |
| 3311 | OFFICE SUPPLIES | 4,376 | 3,892 | (484) |
| 3316 | OPERATING SUPPLIES | 3,060 | 1,093 | (1,967) |
| 3331 | GAS, OIL & LUBRICANTS | 10,500 | 9,064 | (1,436) |
| 3340 | SMALL TOOLS | 260 | - | (260) |
| 4050 | RETIREMENT | 95,423 | 86,129 | (9,294) |
| 4060 | FICA | 47,233 | 46,470 | (763) |
| 4070 | EMPLOYEES' INSURANCE | 124,521 | 100,095 | (24,426) |
| 4090 | VACATION PAY EXPENSE | - | (5,028) | (5,028) |
| 4100 | SICK PAY EXPENSE | - | 3,138 | 3,138 |
| 4110 | NET OPEB EXPENSE | 2,249 | 2,249 | - |
| 4520 | LICENSES & PERMITS | 1,020 | 50 | (970) |
| 4600 | WORKERS' COMPENSATION | 5,340 | 4,786 | (554) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 7,648 | 6,765 | (883) |
| 9030 | DEPRECIATION EXPENSE | 1,107 | 1,236 | 129 |
| | TOTALS | <u>\$ 985,801</u> | <u>\$ 919,084</u> | <u>\$ (66,717)</u> |

DEPT. 74 - GAS OPERATIONS

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 815,363 | \$ 797,830 | \$ (17,533) |
| 1020 | OVERTIME | 18,000 | 7,608 | (10,392) |
| 2110 | ADVERTISING | 3,121 | 1,018 | (2,103) |
| 2122 | RENTALS | 1,040 | 68 | (972) |
| 2132 | MAINTENANCE OF VEHICLES | 15,450 | 15,017 | (433) |
| 2133 | MAINTENANCE OF EQUIPMENT | 6,366 | 14,911 | 8,545 |
| 2139 | MAINTENANCE CONTRACTS | 4,000 | 810 | (3,190) |
| 2140 | POSTAGE | 1,041 | 7,838 | 6,797 |
| 2151 | PRINTING | 5,202 | 6,832 | 1,630 |
| 2164 | PROFESSIONAL FEES - CONS/ENG | 10,000 | 3,000 | (7,000) |
| 2166 | PROFESSIONAL FEES - OTHER | 1,561 | 1,150 | (411) |
| 2170 | TRAINING | 9,180 | 6,272 | (2,908) |
| 2171 | TRAVEL | 1,540 | 1,340 | (200) |
| 2172 | CAR ALLOWANCE | 5,160 | 5,160 | - |
| 2190 | COMMUNICATIONS | 11,630 | 10,066 | (1,564) |
| 2200 | UTILITIES | 13,120 | 13,112 | (8) |
| 2230 | EMPLOYEE RELATIONS | 515 | 516 | 1 |
| 2240 | BUSINESS RELATIONS | 24 | 36 | 12 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 8,323 | 3,017 | (5,306) |
| 3311 | OFFICE SUPPLIES | 2,601 | 3,366 | 765 |
| 3313 | SUBSCRIPTIONS | 312 | - | (312) |
| 3316 | OPERATING SUPPLIES | 114,444 | 82,829 | (31,615) |
| 3331 | GAS, OIL & LUBRICANTS | 30,000 | 33,629 | 3,629 |
| 3340 | SMALL TOOLS | 18,496 | 3,667 | (14,829) |
| 4050 | RETIREMENT | 136,455 | 108,046 | (28,409) |
| 4060 | FICA | 63,752 | 54,220 | (9,532) |
| 4070 | EMPLOYEES' INSURANCE | 192,920 | 167,426 | (25,494) |
| 4090 | VACATION PAY EXPENSE | - | 6,820 | 6,820 |
| 4100 | SICK PAY EXPENSE | - | 6,584 | 6,584 |
| 4110 | NET OPEB EXPENSE | 3,271 | 3,271 | - |
| 4520 | LICENSES & PERMITS | 9,331 | 5,462 | (3,869) |
| 4600 | WORKERS' COMPENSATION | 17,217 | 13,022 | (4,195) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 38,326 | 9,759 | (28,567) |
| 4640 | UNEMPLOYMENT CLAIMS | 1,459 | 1,677 | 218 |
| 9030 | DEPRECIATION EXPENSE | 814,975 | 268,490 | (546,485) |
| | TOTALS | <u>\$ 2,374,195</u> | <u>\$ 1,663,869</u> | <u>\$ (710,326)</u> |

DEPT. 75 - PURCHASES FOR RESALE

| <u>CODE</u> | <u>DESCRIPTION</u> | <u>AMENDED BUDGET FY 2013</u> | <u>FINAL BUDGET FY 2013</u> | <u>DIFFERENCE INCREASE (DECREASE)</u> |
|-------------|----------------------|---------------------------------------|-------------------------------------|---|
| 3360 | PURCHASES FOR RESALE | <u>\$ 2,090,000</u> | <u>\$ 1,815,812</u> | <u>\$ (274,188)</u> |
| | TOTALS | <u><u>\$ 2,090,000</u></u> | <u><u>\$ 1,815,812</u></u> | <u><u>\$ (274,188)</u></u> |

DEPT. 82 - WATER RECLAMATION

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|-------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 565,633 | \$ 564,604 | \$ (1,029) |
| 1020 | OVERTIME | 15,000 | 18,205 | 3,205 |
| 2110 | ADVERTISING | 1,500 | - | (1,500) |
| 2122 | RENTALS | 9,315 | 6,806 | (2,509) |
| 2131 | MAINTENANCE OF BUILDINGS | 10,300 | 349 | (9,951) |
| 2132 | MAINTENANCE OF VEHICLES | 4,635 | 4,597 | (38) |
| 2133 | MAINTENANCE OF EQUIPMENT | 8,000 | 3,503 | (4,497) |
| 2139 | MAINTENANCE CONTRACTS | 550,000 | 464,851 | (85,149) |
| 2140 | POSTAGE | 204 | 86 | (118) |
| 2151 | PRINTING | 2,288 | (437) | (2,725) |
| 2166 | PROFESSIONAL FEES - OTHER | 52,000 | 37,045 | (14,955) |
| 2170 | TRAINING | 6,642 | 6,500 | (142) |
| 2171 | TRAVEL | 49 | 143 | 94 |
| 2172 | CAR ALLOWANCE | 5,160 | 5,160 | - |
| 2190 | COMMUNICATIONS | 4,420 | 4,900 | 480 |
| 2200 | UTILITIES | 544,980 | 533,504 | (11,476) |
| 2230 | EMPLOYEE RELATIONS | 210 | 209 | (1) |
| 2240 | BUSINESS RELATIONS | - | 381 | 381 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 390 | 390 | - |
| 3311 | OFFICE SUPPLIES | 3,500 | 4,314 | 814 |
| 3313 | SUBSCRIPTIONS | 52 | - | (52) |
| 3316 | OPERATING SUPPLIES | 56,884 | 72,963 | 16,079 |
| 3320 | CHEMICALS | 78,400 | 62,611 | (15,789) |
| 3331 | GAS, OIL & LUBRICANTS | 5,550 | 7,963 | 2,413 |
| 3340 | SMALL TOOLS | 6,000 | 7,916 | 1,916 |
| 4050 | RETIREMENT | 87,683 | 82,220 | (5,463) |
| 4060 | FICA | 44,418 | 44,260 | (158) |
| 4070 | EMPLOYEES' INSURANCE | 139,474 | 117,823 | (21,651) |
| 4090 | VACATION PAY EXPENSE | - | 6,639 | 6,639 |
| 4100 | SICK PAY EXPENSE | - | 11,894 | 11,894 |
| 4110 | NET OPEB EXPENSE | 2,862 | 2,863 | 1 |
| 4520 | LICENSES & PERMITS | 4,000 | 2,583 | (1,417) |
| 4600 | WORKERS' COMPENSATION | 9,516 | 10,152 | 636 |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 71,569 | 62,789 | (8,780) |
| 9030 | DEPRECIATION EXPENSE | 1,490,253 | 1,526,598 | 36,345 |
| | TOTALS | <u>\$ 3,780,887</u> | <u>\$ 3,674,384</u> | <u>\$ (106,503)</u> |

DEPT. 84 - WASTEWATER COLLECTION

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|----------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 888,465 | \$ 870,971 | \$ (17,494) |
| 1020 | OVERTIME | 50,000 | 48,305 | (1,695) |
| 2122 | RENTALS | 23,672 | 23,828 | 156 |
| 2132 | MAINTENANCE OF VEHICLES | 56,000 | 64,012 | 8,012 |
| 2133 | MAINTENANCE OF EQUIPMENT | 75,000 | 65,512 | (9,488) |
| 2139 | MAINTENANCE CONTRACTS | 60,000 | 25,920 | (34,080) |
| 2140 | POSTAGE | 55 | - | (55) |
| 2151 | PRINTING | 1,632 | 141 | (1,491) |
| 2164 | PROFESSIONAL FEES - CONSULT/ENG. | - | 13,500 | 13,500 |
| 2166 | PROFESSIONAL FEES - OTHER | 1,836 | 4,564 | 2,728 |
| 2170 | TRAINING | 6,174 | 4,381 | (1,793) |
| 2171 | TRAVEL | - | 92 | 92 |
| 2172 | CAR ALLOWANCE | 5,160 | 5,160 | - |
| 2190 | COMMUNICATIONS | 10,520 | 11,349 | 829 |
| 2200 | UTILITIES | 206,010 | 205,574 | (436) |
| 2230 | EMPLOYEE RELATIONS | 299 | 299 | - |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 255 | 110 | (145) |
| 3311 | OFFICE SUPPLIES | 2,754 | 2,432 | (322) |
| 3316 | OPERATING SUPPLIES | 128,010 | 126,598 | (1,412) |
| 3320 | CHEMICALS | 165,000 | 168,553 | 3,553 |
| 3331 | GAS, OIL & LUBRICANTS | 78,000 | 86,714 | 8,714 |
| 3340 | SMALL TOOLS | 6,562 | 2,181 | (4,381) |
| 4050 | RETIREMENT | 158,415 | 133,751 | (24,664) |
| 4060 | FICA | 71,793 | 64,776 | (7,017) |
| 4070 | EMPLOYEES' INSURANCE | 227,275 | 190,909 | (36,366) |
| 4090 | VACATION PAY EXPENSE | - | 530 | 530 |
| 4100 | SICK PAY EXPENSE | - | 975 | 975 |
| 4110 | NET OPEB EXPENSE | 4,294 | 4,294 | - |
| 4520 | LICENSES & PERMITS | 6,528 | 6,616 | 88 |
| 4600 | WORKERS' COMPENSATION | 19,816 | 15,108 | (4,708) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 50,043 | 34,012 | (16,031) |
| 9030 | DEPRECIATION EXPENSE | 3,925,376 | 4,579,491 | 654,115 |
| | TOTALS | <u>\$ 6,228,944</u> | <u>\$ 6,760,658</u> | <u>\$ 531,714</u> |

DEPT. 93 - FPUAnet COMMUNICATIONS

| CODE | DESCRIPTION | AMENDED BUDGET FY 2013 | FINAL BUDGET FY 2013 | DIFFERENCE INCREASE (DECREASE) |
|------|----------------------------------|------------------------------|----------------------------|--------------------------------------|
| 1010 | SALARIES & WAGES | \$ 112,455 | \$ 111,726 | \$ (729) |
| 1020 | OVERTIME | 400 | - | (400) |
| 2110 | ADVERTISING | 2,120 | 2,269 | 149 |
| 2139 | MAINTENANCE CONTRACTS | 2,301 | 1,301 | (1,000) |
| 2140 | POSTAGE | 500 | - | (500) |
| 2151 | PRINTING | 500 | 21 | (479) |
| 2164 | PROFESSIONAL FEES - CONSULT/ENG. | 12,000 | - | (12,000) |
| 2166 | PROFESSIONAL FEES - OTHER | 99 | 99 | - |
| 2170 | TRAINING | 4,417 | 1,302 | (3,115) |
| 2171 | TRAVEL | 150 | 41 | (109) |
| 2172 | CAR ALLOWANCE | 3,300 | 3,300 | - |
| 2190 | COMMUNICATIONS | 1,660 | 1,561 | (99) |
| 2200 | UTILITIES | 50 | 48 | (2) |
| 2240 | BUSINESS RELATIONS | 300 | 63 | (237) |
| 3311 | OFFICE SUPPLIES | 350 | 229 | (121) |
| 3313 | SUBSCRIPTIONS | 486 | 399 | (87) |
| 3316 | OPERATING SUPPLIES | 1,900 | 1,309 | (591) |
| 3360 | PURCHASES FOR RESALE | 57,464 | 27,835 | (29,629) |
| 4050 | RETIREMENT | 20,889 | 15,506 | (5,383) |
| 4060 | FICA | 8,633 | 6,630 | (2,003) |
| 4070 | EMPLOYEES' INSURANCE | 27,923 | 23,589 | (4,334) |
| 4090 | VACATION PAY EXPENSE | - | 885 | 885 |
| 4100 | SICK PAY EXPENSE | - | 670 | 670 |
| 4110 | NET OPEB EXPENSE | 409 | 409 | - |
| 4520 | LICENSES & PERMITS | 900 | 600 | (300) |
| 4600 | WORKERS' COMPENSATION | 120 | 114 | (6) |
| 4610 | PROPERTY & LIAB/INS & UNINSUR | 1,442 | 1,437 | (5) |
| 4700 | UTILITY BAD DEBT EXPENSE | 300 | 231 | (69) |
| 9030 | DEPRECIATION EXPENSE | 76,810 | 78,982 | 2,172 |
| | TOTALS | <u>\$ 337,878</u> | <u>\$ 280,556</u> | <u>\$ (57,322)</u> |

DEPT. 99 - ADMINISTRATIVE & GENERAL

| <u>CODE</u> | <u>DESCRIPTION</u> | <u>AMENDED BUDGET FY 2013</u> | <u>FINAL BUDGET FY 2013</u> | <u>DIFFERENCE INCREASE (DECREASE)</u> |
|-------------|--------------------------------|---------------------------------------|-------------------------------------|---|
| 2122 | RENTALS | \$ 500 | \$ - | \$ (500) |
| 2131 | MAINTENANCE OF BUILDINGS | 138,688 | 141,459 | 2,771 |
| 2133 | MAINTENANCE OF EQUIPMENT | 2,546 | 115 | (2,431) |
| 2139 | MAINTENANCE CONTRACTS | 276,000 | 190,061 | (85,939) |
| 2166 | PROFESSIONAL FEES - OTHER | 20,000 | 1,685 | (18,315) |
| 2190 | COMMUNICATIONS | 33,370 | 36,458 | 3,088 |
| 2260 | MEMBERSHIPS - PROFESSIONAL | 35,910 | 35,910 | - |
| 3316 | OPERATING SUPPLIES | 3,529 | 1,864 | (1,665) |
| 4509 | OTHER TAXES | 35,966 | 35,966 | - |
| 4510 | GROSS RECEIPTS TAX | 1,707,156 | 1,685,475 | (21,681) |
| 4520 | LICENSES & PERMITS | 24,541 | 19,141 | (5,400) |
| 4531 | CIVIC CONTRIBUTIONS | 194,824 | 194,941 | 117 |
| 4700 | UTILITY BAD DEBT EXPENSE | 349,700 | 257,494 | (92,206) |
| 5721 | INTEREST - BONDS & POOLED LOAN | 4,249,993 | 4,249,993 | - |
| 5723 | INTEREST - DEPOSITS | 12,100 | 15,454 | 3,354 |
| 5725 | CAPITALIZED INTEREST-WORK ORDR | (55,000) | 189,026 | 244,026 |
| 5731 | AMORTIZAT. OF BOND DISC. & EXP | 158,115 | 158,115 | - |
| 9000 | CITY DISTRIBUTION | 5,363,855 | 5,363,855 | - |
| 9010 | CONTINGENCY | 500,000 | - | (500,000) |
| 9030 | DEPRECIATION EXPENSE | 279,427 | 265,597 | (13,830) |
| | TOTALS | <u>\$ 13,331,220</u> | <u>\$ 12,842,609</u> | <u>\$ (488,611)</u> |

City Commission Regular Meeting

Agenda Item # 12. b.

Meeting Date: 04/07/2014

Re: FPUA Comprehensive Annual Financial Report

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Presentation of the FPUA Comprehensive Annual Financial Report (CAFR) for FY2013.

SUMMARY:

In accordance with the provisions of the City of Fort Pierce Charter, Article XII, Section 178(c), FPUA is requesting approval and acceptance of FPUA's Comprehensive Annual Finance Report (CAFR) which includes an unqualified opinion from the CPA firm of DiBartolomeo, McBee, Hartley and Barnes, P.A.

RECOMMENDATION:

Approve and accept the CAFR.

ALTERNATIVES:

Don't approve the CAFR.

RESPONSIBLE STAFF:

William G. Thiess, Director of Utilities and Nina B. Hurtubise, CPA, FPUA Director of Finance

COORDINATED WITH:

Submitted through Linda W. Cox, City Clerk

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

The amount of the distribution to the City of Fort Pierce upon approval is \$5,605,157.00.

Attachments


CAFR FY2013




Director of Finance
"Committed to Quality"

MEMORANDUM

TO: Fort Pierce City Commission

FROM: Nina B. Hurtubise, CPA 
FPUA Director of Finance

THROUGH: William G. Thiess, P.E. 
FPUA Director of Utilities

DATE: March 24, 2014

SUBJECT: City Commission Agenda Request for April 7, 2014 Meeting
FY 2013 Comprehensive Annual Financial Report

In accordance with the provisions of the City of Fort Pierce Charter, Article XII, Section 178 (c), I am requesting approval and acceptance of FPUA's Comprehensive Annual Financial Report, which includes an unqualified opinion from the CPA firm of DiBartolomeo, McBee, Hartley & Barnes, P.A. on page 13.

The amount of this year's Distribution to the City of Fort Pierce will be \$5,605,157 and will be paid via EFT after approval and acceptance of the audit.

If you have any questions or are in need of additional information, please feel free to contact me.

cc: City Manager
City Clerk

Comprehensive Annual Financial Report

For the Fiscal Year Ended September 30, 2013



Fort Pierce Utilities Authority

Fort Pierce, Florida

A Component Unit of the
City of Fort Pierce

www.FPUA.com

FORT PIERCE UTILITIES AUTHORITY

A Component Unit of the City of Fort Pierce, Florida

COMPREHENSIVE ANNUAL FINANCIAL REPORT

For the Fiscal Year Ended September 30, 2013

Prepared by
Department of Finance

Nina B. Hurtubise, CPA
Director of Finance
nhurtubise@fpu.com

FORT PIERCE UTILITIES AUTHORITY
Comprehensive Annual Financial Report
Fiscal Year Ended September 30, 2013

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FORT PIERCE UTILITIES AUTHORITY
Comprehensive Annual Financial Report
Fiscal Year Ended September 30, 2013

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TeamUA - Over 2,900

WILLIAM S ABRAMOWICZ
JAMES D ADAMS
MARY R ADAMS
STANLEY L ADAMS
CHARLES ALFORD
JEANNETTE C ALLEN
MICHAEL J AMBROSINO
RASHAN A ANDERSON
WILLIAM A ANDERSON
TINA ATTEY
ROBERT G AUSTIN
ANDREW AVERS
MAURICE BACON
JEFFREY W BAKER
WILLIAM E BALDWIN
RAUL L BARRERA
MARK T BASSETT
RYAN D BASTINE
LORI L BATTIPAGLIA
TIM W BATTLE
MEREDITH L BENNETT
LAURENCE BENNING
KARYL RENEE BERTRAM
LORI BIANCO
JO-ANN BILYK
R CRAIG BREWER
S LANCE BRICK
DANIEL BROLMANN
WILLIAM BROOKS JR
CLYDE L BROWN
ANDREW D BYRD
JOSHUA CALANDRO
JOHN C CANARD
JAMES CARNES III
DAVID CAVE
MICHAEL J CHAMBERS
GARY D CHANEY
MICHAEL CHATMAN
JAVIER CISNEROS
LINDA CLARK
ANDRE DENELL CLEVELAND
JAMES COMBS
LEE ROY COMBS
WILLIAM CONAVAY
CHARLES D CONNELL

TED E COOK
FRANK COX
STANLEY L COYLE
CRAIG A CRAWFORD
WILBURN L CRAWFORD
CHRISTOPHER CRUMBLEY
JONATHAN D CRUMBLEY
PAMELA K CULLY
JAMES P CUNNINGHAM
ROBYN CURLEY
MICHAEL W CURRID
NANCY A DALLAIRE
WALTER W DAMPIER
THOMAS M DAROZA
ALDONIO DASILVA
ROBERT P DAVIS
LUGEY DAWSON
D WAYNE DEARMAN
DANIEL DEIULIO
JAMES SEAN DENMAN
OWEN A DENNIS
SCOTT DENNIS
GARY DEPASTINO
IRENE LEVETTE DIXON
CHARLES A DONNON
THOMAS A DRISKELL
MARK DUFFANY
PETER DUNCAN
SCOTT DYKEMA
JOYCE E EASTERDAY
CHRISTOPHER L FATZINGER
DENISE E FOUNTAIN
SHARI G FRANCO
MARY C FRIER
THOMAS A FRYAR
NORIEL FUMERO
JOSEPH MICHAEL FUORE
SHERRY L FURGERSON
FREDERICK C GADDIS
SHEILA J GARDNER
STEVEN F GATINS
LEONARD D GAW
BARBARA J GIBSON
MICHAEL R GIFT
PATRICK E GILLESPIE

GARY J GILLETTE
KEVIN GILLETTE
PATRICIA L GILSINAN
JOSEPH T GILSON
GARY K GLANCY
C PAUL GODSIL
STEPHANIE M GOINGS
MICHAEL GOLDSMITH
SONIA V GOMEZ
ANTONIO GONZALEZ
WILLIAM GOODWIN
MICHAEL GORDON
CROSBY GORE
NAIDA GUZMAN
RONALD L HAGWOOD JR
GEORGE R HALL
DENNIS E HAMM
DIANE HARRIS
JAMES E HARRIS
MICHELE S HARRIS
GORDON E HAYMAN
STEVE HERDEMAN
CALVIN D HODGE
ESTELA Q HOLMAN
KYLE HOLMAN
DEWEY W HUDMAN
LINDA HUDSON
LESTER C HUMMEL
NINA B HURTUBISE
BOWDOIN G HUTCHINSON
JUANITA JACKSON
MARCUS T JACKSON
SIDNEY L JERGER
CAROL JOHNSON
CHONTAE L JOHNSON
CHRISTOPHER JOHNSON
MICHAEL D JONES
ROBERT JONES
JACKLYN JURGENSEN
WILLIAM R KAEFF
D LELAND KARLSON
EDWARD T KEANE
TERRY L KECK
ADAM KEE
PATRICK J KELLER

Years of Dedicated Service

SABRINA H KERR
JOYCE A KING
EUGENE D KNIGHT
MARK KOBBE
JENNIFER KRIP
KUPER KRUEGER
ALICE M LADOMIRAK
PAUL LAGUERRE
JOSEPH L LAMMERS
DONALD T E LANDIN
DOMINIC F LANE
MARIE J LAVACHE
PATRICIA ANN LAWSON
RONALD K LEE
EDWARD S LEONGOMEZ
BILLY LOCKMILLER
DOROTHY E LONG
THELMA PATRICIA LOPEZ
SCOTT LOVEN
PAUL C LUGARA
KEITH B LYONS
PAUL L MADSEN
WANDA MAGNUSON
WILLIAM H MAIN
TAMMY R MALIN
GLEN P MANCHESTER
DEBORAH PETERSEN MANIS
FRED MANN
LAURIE A MARTIN
MELISSA MARTIN
MICHAEL J MARTIN
JOSEPH MASSIMINO
FLORINDA K MAZZARELLA
TOMMIE V MC CARTHY
NANCY L MC CONKEY
TERRANCE MC MILLON
DANIEL MCKINLEY
JOHN W MCMILLIAN
STONEY X MCPEEK
BARBARA A MIKA
GEORGE E MILLER
JOSHUA J MILLER
JASON M MITTLER
E GLYNDON MOBERLY

PUTNAM MOREMAN IV
REGINA D MORRIS
KENNETH MORRIS SR
LARRY MIKEL MORRISON
STEVEN MOSELY
STEVEN MURTO
CHRISTELLE MYRICK
BRIAN D MYSZKOWSKI
DINO G NESSELRODE
WILLIAM D NORTON
KIMBERLY E OKUBO
SHANNON ONDERLINDE
SHANE OSTRANDER
THOMAS E PARKER
ARTHUR O PARMELEE
KEVIN W PARRISH
DARIN PATTERSON
CAROL ANN PEARSON
RALPH A PENICK
TIMOTHY E PERKINS
MICHAEL A PERRI
RICHARD G PETERSEN
RONNIE PREBILSKY
TONY TREAYMAN PRICE
CHARLES D PUTNAM SR
VIOLET RAMOS
STEPHANIE RAULERSON
J KEVIN RHODEN
TIMOTHY W RICHARDS
EDWIN RICHBERG
ROBERTO S RIGUAL
KEITH D ROBINSON
SAMANTHA ROWLAND
NATHANIEL P RUBEL
ROLAND RUPPERT
VALERIE A SCHULTE
SAL ANTHONY SCIMECA
HARRY SHERVA
JOSHUA SHOLANDER
JACK R SHONK
DONNA SHURR
JACOB W SIEBERT
CARMELO SIGNORELLI
STERLING R SIMMONS

IRA SINGH
VALENTIME C SIRMONS
JULIE Z SIZEMORE
FORD R SLOAN
CHRISTOPHER SMITH
EILEEN SNOBERGER
JARED SOMERSON
CIRO E SOTELO
CYNTHIA M SOUTHARD
JOEL SPADES
RICHARD J SPEARS
CHARLES J STANG
ANGELA M STEPHENS
BRIAN KEITH STEPHENS
KURTIS D STRAND
CHARLES S SWINDLE
ARNE TARANGER
WILLIAM TAYLOR
DEBRA THERIAULT
WILLIAM G THIESS
MARY E THOMAS
DARRYL R THOMAS-BEY
DANIEL D TILLMAN
THELMA TIPTON
JOHN K TOMPECK
JOHAN TUNBERG
SHAWN D TYLER
LARRY W TYNDALL
NOBLE R UPCHURCH
OSVALDO VALDES
CAIRO A VANEGAS
ROBERT W VAUGHN
LESLEY VINCENT-RYDER
EVELYN I WALKER
PETER WICINSKI
JUDITH ANN WIDMAYER
EDMOND WILLIAMS
STACEY WILLIAMS
ESTELA M WILSON
OLIVER C WINT
ERIC R WINTERSTEIN
LOIS A WOLFE
SHARON WOLKOWICZ

Fort Pierce Utilities Authority

"To provide our customers with economical, reliable and friendly service"

Fort Pierce Utilities Authority employees have "enhanced the quality of life in our community"

1st Tee of TC - SLCAGA/Fairwinds Golf Course
Agape Senior Citizens Recreational
Center
American Cancer Society
American Legion
American Red Cross
Angel Food Ministries
ARC of St. Lucie County
ASA Girls Fast Pitch Softball
Awanas First Baptist Church of Stuart
Backus Gallery
Big Brothers/Big Sisters
Book Depot Martin County Library
Boy Scouts of America
Busch Wildlife Sanctuary
Calvary Chapel
Castle
Central Florida Bible Camp
Children Home Society's WaveCREST
Shelter
Children's Miracle Network
Club Utilitas, Inc. Teen Center
Colonnades Association 3
Common Ground Vineyard Church
Community Church of Vero Beach
Conservation Alliance of SLC
Council On Aging of St. Lucie County
Downtown Business Association
Drug Abuse Treatment
Association, Inc. (DATA)
Early Learning Coalition
Engineering Ministries International
Exchange Club
Faith Family Worship Center
Family Fun Day Lawnwood Stadium
Family Meals Incorporated
First Baptist Church of Stuart

First Baptist Church of White City
First United Methodist Church of PSL
Florida Army National Guard
Florida's Blood Centers
Florida Engineering Society
Florida March of Dimes Foundation
Florida Water Environment Assoc. (FWEA)
Fort Pierce Central High School
Fort Pierce Christmas Parade
Francis K Sweet Magnet School
Girl Scouts of the USA
Grace Emmanuel Church
Graceway Village
Great American Cleanup
Green Committee
Guardian Ad Litem
Habitat for Humanity
Harvest Food & Outreach Center
Healthy Start Coalition of St. Lucie County
Heathcote Botanical Gardens
Hibiscus Children's Center
Hobe Sound Animal Protection League
Hospice of the Treasure Coast
Imagine School of Vero Beach
In The Image of Christ, Inc.
Independent Haitian Church
Indian River State College - College
Reach-Out Program (CROP)
Jack and Jill of America
Kids at Hope
Kids Crossing Playground Build
Kiwanis Clubs
Knights of Columbus
Leadership Saint Lucie
Lincoln Park Academy
Lincoln Park Main Street
Love Dr's Charity

Mission Statement

in a continuous effort to enhance the quality of life in our community"

by contributing their time and service to the following organizations:

| | |
|--|--|
| Macedonia 7th Day Adventist Church | St. Lucie County 4-H |
| Main Street Focus Magazine | St. Lucie County Economic |
| Main Street Fort Pierce | Development Council |
| Manatee Observation and Education | St. Lucie County Fair Association |
| Center (MOEC) | St. Lucie County Harbor Advisory |
| Marine Corp League | Committee |
| Marine Industries Association of the | St. Lucie County Human Resources |
| Treasure Coast Waterway Clean Up | Association |
| Martin County District Academic Team | St. Lucie County School Board |
| Martin Luther King, Jr. Commemorative | St. Lucie County Sheriff |
| Committee of St. Lucie County | St. Lucie County Toys for Tots |
| Matthews Café | St. Lucie Panthers Softball Organization |
| Mission Churches International Inc. | St. Lucie / Stuart / Martin County |
| Muscular Dystrophy Association | Chambers of Commerce |
| Mustard Seed Ministries | St. Lucie Village |
| Navy UDT-SEAL Museum | Sea-Life Habitat Improvement Project |
| Northside Bat and Ball Club | South Fork High School Band |
| Oxbow Eco-Center | Southwestern Port St. Lucie Little League |
| Parkview Baptist Church | Stuart Air Show |
| Pilot Club of Fort Pierce | Susan G. Koman - Strides Against Breast Cancer |
| Pinewood Elementary School | The Leukemia & Lymphoma Society |
| Port St. Lucie Athletic Association | The Royal Palms of St. Lucie |
| Port St. Lucie American Little League | The Van Duzer Foundation |
| Port St. Lucie National Little League | The Worship Center International Ministries |
| Port St. Lucie Police Department | Toastmasters International |
| Port St. Lucie Power Squadron | Treasure Coast Blood Bank |
| Pregnancy Resources | Treasure Coast Education & Research |
| Relay for Life | Development |
| Rosewood Elementary School | Treasure Coast Environmental |
| Rotary Clubs | Education Council |
| Safe Space of St Lucie | Treasure Coast Food Bank |
| Salvation Army Christmas Angels | Treasure Coast Manatee Foundation |
| Sandy Shoe Festival | Tri County Animal Hospital |
| St. Andrews Academy | United Way of St. Lucie County |
| St Helen's Harvest Festival | Vero Beach First Nazarene Church |
| St. Jude Children's Research Hospital | Vero Beach Masonic Lodge |
| St. Lucie Bob Cats (Semi-Pro Football) | Winners Walk Tall |



500 Boston Avenue (34950)
PO Box 3191, Fort Pierce, FL 34948



Phone: 772.466.1600
Fax: 772.467.2504

Director of Finance
"Committed to Quality"

March 12, 2014

Board Members
Fort Pierce Utilities Authority

The Comprehensive Annual Financial Report (CAFR) of Fort Pierce Utilities Authority (FPUA) for the fiscal year ended September 30, 2013, is submitted herewith pursuant to the City of Fort Pierce Charter, Article XII, Section 176 (12) and the bond covenants of FPUA's outstanding revenue bonds. Responsibility for the accuracy of the data and the completeness and fairness of the presentation, including all disclosures, rests with the management of FPUA. This CAFR was prepared by FPUA's Department of Finance staff. We believe the data, as presented, is accurate in all material respects, that it is presented in a manner designed to fairly set forth the financial position and results of operations of FPUA, and that all disclosures necessary to enable the readers to gain the maximum understanding of FPUA's financial activity have been included.

FPUA's financial statements have been audited by DiBartolomeo, McBee, Hartley & Barnes, a firm of licensed certified public accountants, in accordance with Generally Accepted Government Auditing Standards. The goal of the independent audit was to provide reasonable assurance that the financial statements of FPUA for the fiscal year ended September 30, 2013, are free of material misstatement. The independent audit involved examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; assessing the accounting principles used and significant estimates made by management; and evaluating the overall financial statement presentation. The independent auditor concluded, based upon the audit, that there was a reasonable basis for rendering an unqualified opinion that FPUA's financial statements for the fiscal year ended September 30, 2013, are fairly presented in conformity with Generally Accepted Accounting Principles (GAAP). The independent auditor's report is presented as the first component of the financial section of this report.

GAAP requires that management provide a narrative introduction, overview, and analysis to accompany the basic financial statements in the form of Management's Discussion and Analysis (MD&A). This letter of transmittal is designed to complement the MD&A and should be read in conjunction with it. FPUA's MD&A can be found immediately following the independent auditor's report.



Our mission is to provide our customers with economical, reliable and friendly service
in a continuous effort to enhance the quality of life in our community.

www.fpua.com

THE REPORTING UNIT

FPUA was established in accordance with provisions of the City Charter, confirmed by an election held on May 30, 1972. The FPUA Board consists of five members, one of whom is the Mayor-Commissioner of the City, who serves on the Board as long as he or she holds such office. The other four members are appointed by the City Commission for four-year overlapping terms, limited to two consecutive terms of office.

The City Charter, Article XII, Section 169, states that FPUA shall be responsible for the development, production, purchase, distribution, and collection of all electricity, water, wastewater, natural gas, and such other utility services as may be designated by resolution by the City Commission. FPUA is a component unit of the City of Fort Pierce, Florida and this report includes all systems of FPUA. This report does not include the financial activities of the City of Fort Pierce. Reference should be made to the City's report published separately.

SYSTEM PROFILE

The Electric, Water, Wastewater, and Gas Utility Systems, Manatee Observation and Education Center (MOEC), and FPUAnet Communications are managed and operated for the City by FPUA. FPUA also operates the Treasure Coast Energy Center (TCEC) for the Florida Municipal Power Agency (FMPA) on a contract basis, utilizing FPUA employees.

The **Electric System** serves the City of Fort Pierce and the immediately surrounding area, encompassing approximately 35 square miles, with an average of 27,630 services billed during the fiscal year ended September 30, 2013. FPUA currently has 23 miles of transmission lines and eight substations (six distribution and two transmission) operating at 69kV and 138kV. FPUA jointly owns with the City of Vero Beach a 138kV transmission line and substation directly interconnecting with both Florida Power & Light (FPL) and Vero Beach. FPUA's transmission substations are interconnected with FPL. FPUA and FPL have a territorial agreement approved by the Florida Public Service Commission.

On December 16, 1997, FPUA agreed to participate in the FMPA All-Requirements Power Supply Project (ARP). In doing so, FPUA became one of 14 municipally owned utilities in ARP. The principal benefits of ARP are:

1. Lower operating costs through utilization of the most efficient generation available.
2. Future generation will be planned for the collective systems, as needed, by FMPA.
3. Economies of scale in operating, planning, and financing.
4. Lower risk with more units and more cities working together.

As of January 1, 1998, FPUA assigned its resources to ARP and agreed to purchase its total power requirements from ARP. FPUA's resources, which have been assigned, include the contracts with FMPA related to Stanton Unit No. 1 (Stanton and Tri-City Projects) and Stanton Unit No. 2. The contracts related to the St. Lucie Nuclear Project have not been assigned.

The **Water System** serves the City of Fort Pierce and the immediately surrounding area, encompassing approximately 32 square miles, with an average of 19,248 services billed during the fiscal year ended September 30, 2013. Water supply is obtained from 36 surficial aquifer wells (shallow) and 11 Floridan aquifer wells (deep). FPUA currently has a Water Use Permit from the South Florida Water Management District to withdraw a daily maximum not to exceed 21.13 million gallons of ground water. Treatment of the raw ground water is presently accomplished through a 20 million gallons per day (MGD) conventional Lime Softening Water Treatment Plant and a 10.3 MGD Reverse Osmosis Water Treatment Plant. FPUA owns and operates a 13.3 MGD air stripping system which services the lime-softening portion of FPUA's Water Treatment Facility. FPUA meets all federal and state drinking water standards. FPUA has 9 million gallons of storage capacity. The water distribution system is composed of 384 miles of water mains, remote pumping facilities, ground storage tanks, hydrants, and valves.

The **Wastewater System** serves the City of Fort Pierce and the immediately surrounding area, encompassing approximately 30 square miles, with an average of 14,635 services billed during the fiscal year ended September 30, 2013. The wastewater collection system consists of 116 lift stations, 171 miles of gravity sewer lines ranging from 4 to 48 inches in diameter, and approximately 97 miles of force mains ranging in size from 1.5 to 24 inches in diameter. The Island Water Reclamation Facility (IWRf) currently has a permitted capacity of 10 MGD for Annual Average Daily Flow and 11.5 MGD for 3-Month Annual Average Daily Flow. On December 11, 2012, the Florida Department of Environmental Protection issued the operating permit, which is anticipated to be adequate through December 10, 2017.

FPUA has one domestic deep injection well at the IWRf plant site. A pumping station injects treated effluent into the 3,300-foot deep injection well for disposal. The IWRf IW-1 well is a twenty-four inch domestic well which is permitted through February 9, 2017. There are two deep injection wells located on the site of the future Mainland Water Reclamation Facility (MWRf), in the southwest corner of the service area. IW-1 is an 18-inch industrial deep injection well and IW-2 is a 24-inch domestic deep injection well. IW-1 accommodates the TCEC's industrial wastewater stream, and is permitted through April 15, 2015. The IW-2 well is currently not in operation and therefore is not permitted. Both wells can be utilized for disposal of MWRf effluent when that facility is constructed.

The **Gas System** serves the City of Fort Pierce and the immediately surrounding area, encompassing approximately 27 square miles, with an average of 4,179 services billed during the fiscal year ended September 30, 2013. The Gas System purchases firm gas for resale through Florida Gas Utility (FGU). FGU has a contract with Florida Gas Transmission for the transportation of gas to FPUA's system. Gas purchases are supplied by FGU under an all requirements agreement. The Gas Operations Department is responsible for the installation and maintenance of all gas mains and service lines. The department also employs a staff of qualified gas service technicians to maintain and repair customers' natural gas appliances.

FPUAnet Communications provides high quality, state-of-the-art fiber optic communication services, including Dedicated Fiber Internet Access and Optical Fiber Links, such as Dark Fiber and Bandwidth Connections to businesses and institutions. As a leading member of the Research Coast Broadband Coalition, FPUAnet Communications seeks to interconnect the five-county region.

FPUA operates the **Manatee Observation & Education Center (MOEC)**, which is located on Moore's Creek east of Indian River Drive. MOEC's mission is to promote understanding and responsible actions for the protection of the fragile ecosystems in the Treasure Coast Region and its inhabitants. It provides a clean and safe facility for viewing manatees and other inhabitants of the Indian River Lagoon. Almost 33,000 visitors from all over the world visited the Center during fiscal year 2013. A total of 645 manatees were sighted. Volunteers provided a substantial donation to the Center with a total of 10,846 hours of volunteer time.

FACTORS AFFECTING FINANCIAL CONDITION

The information presented in the financial statements is perhaps best understood when considered from the broader perspective of the environment within which FPUA provides service.

Local Economy

Fort Pierce is located on Florida's east coast, 120 miles north of Miami and 220 miles south of Jacksonville. The estimated 2013 population of the City of Fort Pierce and St. Lucie County was 41,729 and 281,151 respectively. Fort Pierce is the commercial center of the county, with approximately 24.5 square miles in land area. Its metropolitan area includes a transportation network comprised of Interstate 95, Florida's Turnpike, U.S. Highway 1, State Roads 68 and 70, Florida East Coast Railway, St. Lucie County International Airport, and the Port of Fort Pierce.

FPUA's service area includes both the area within the corporate limits of the City of Fort Pierce and the Town of St. Lucie Village, and portions of unincorporated St. Lucie County. Approximately 82% of the system revenues are derived from services provided within the City of Fort Pierce, and 18% from services provided in the Town of St. Lucie Village and unincorporated St. Lucie County.

The economy of Fort Pierce and surrounding St. Lucie County is primarily based upon government, agriculture, construction, retail and wholesale trade, light manufacturing, tourism, biotechnology, and sport and commercial fishing. Although there are several telemarketing service centers, commercial centers, research institutions, and a Walmart Distribution Center located in the area, the downturn in the construction industry continues to have a negative impact on employment.

St. Lucie County continues to develop a 1,800-acre State recognized Research and Education Park in FPUA's service territory. Florida State University has a Regional Medical School Campus located at Indian River State College, which now offers numerous Bachelor's Degree Programs.

FPUA's service area is developing into an educational and research center featuring the following facilities:

- Indian River State College (IRSC)
- Florida Atlantic University (FAU)/Harbor Branch Oceanographic Institution
- Smithsonian Fort Pierce Marine Station
- Smithsonian Marine Ecosystem Exhibit
- U.S. Department of Agriculture/Horticultural Research Laboratory
- University of Florida/Institute of Food and Agricultural Sciences (UF/IFAS) Research and Education Center
- Manatee Observation and Education Center

There has been very little new development during fiscal year 2013, a trend that has been experienced across the nation. Many recently constructed residential units still sit vacant; however, the real estate market is showing some signs of improvement. On the commercial side, several industrial parks are in the planning stages along the Kings Highway corridor. Although current development activity in the area is limited, FPUA is optimistic about growth in the long term. Improvements such as major roadwork, continued beautification of the downtown area, and private investment make the area attractive to new residents. Reconstruction of the City Marina outer docks damaged in the 2004 hurricanes began in 2012, and should provide an economic boost to the downtown area.

Strategic Management Planning

FPUA's Strategic Plan continues to promote communication and cooperation, and encourages increased employee involvement in achieving company goals that support FPUA's Mission Statement:

“To provide our customers with economical, reliable, and friendly service in a continuous effort to enhance the quality of life in our community.”

In January 2013, a workshop was held to re-evaluate and set forth the key result areas (KRA's) FPUA will focus on as the organization moves forward. Participants in the workshop included the FPUA Board, key FPUA staff, and members of the Fort Pierce City Commission. KRA's and the corresponding goals and objectives were identified as follows:

Improve Efficiency and Cost Effectiveness – Efforts continue toward automating workflows and eliminating redundant processes where possible. As FPUA strives to build a competitive attitude within the organization, it has been recognized that the benefits of past efforts have resulted in the ability to lower electric rates.

Improve Customer Education and Outreach – Regardless of the positive changes made at FPUA over recent years, public perception of the organization may not be fully aligned with reality. It is important to effectively communicate actions FPUA is taking to achieve goals associated with the mission statement. This may be accomplished by promoting community involvement through educational programs and environmental stewardship.

Increase Revenues – Although FPUA has successfully cut costs throughout the organization, staff recognizes that the same impact on the bottom line can be achieved by increasing revenues. Some areas to be considered are developing new services and products, as well as encouraging development and re-development of areas within the FPUA service territory. This will be accomplished through more aggressive marketing programs, reductions in connection fees charged to customers, and implementing programs for financing connection fees.

Workforce Development – As FPUA’s workforce ages, it is critical to attract, retain and promote the most qualified employees within the organization. It is also important to improve motivation and morale as staff is continually being asked to do more with less.

Long-Term Capital Planning

FPUA’s capital renewal, expansion, and improvements continue. Capital plans are primarily driven by replacement of aging infrastructure and street and highway reconstruction projects. The multiplicity of requirements by regulatory agencies increases the cost of those improvements. Most replacements increase costs and provide no additional revenue, but are expected to have a positive impact on operations and maintenance expenses. Receipt of contributed capital, which helps fund the infrastructure needed to support growth in the future, has slowed dramatically. In an effort to strategically expend FPUA’s limited resources, Department Heads meet periodically to discuss and update capital plans. This allows for coordination among the numerous agencies with which FPUA’s staff interacts to accomplish its plans.

AWARDS

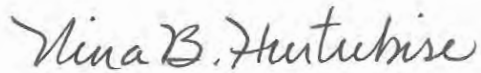
The Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to FPUA for its CAFR for the fiscal year ended September 30, 2012. This was the 19th consecutive year that FPUA has achieved this prestigious award.

In order to be awarded a Certificate of Achievement, a governmental unit must publish an easily readable and efficiently organized CAFR. This report must satisfy both GAAP and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that our current CAFR continues to meet the Certificate of Achievement Program’s requirements, and will be submitted to the GFOA to determine eligibility for another certificate.

ACKNOWLEDGMENTS

The preparation of this report could not have been accomplished without the efficient and dedicated services of the entire staff of FPUA's Department of Finance. I would like to express my appreciation to all members of the Department who assisted and contributed to its preparation. I would also like to express my thanks to the Board, the Director of Utilities, and the entire FPUA staff for their interest and support in planning and conducting the financial operations in a responsible and progressive manner.

A handwritten signature in black ink that reads "Nina B. Hurtubise". The signature is written in a cursive style with a large initial 'N'.

Nina B. Hurtubise, CPA
Director of Finance





Government Finance Officers Association

**Certificate of
Achievement
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in Financial
Reporting**

Presented to

**Fort Pierce Utilities Authority
Florida**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

September 30, 2012

Executive Director/CEO

FPUA Leadership

Board Members



Michael A. Perri, Jr.
Chairman



Daniel M. Delulio, CPA
Vice-Chairman



Pamela K. Cully
Secretary



Darryl Thomas-Bey
Deputy Secretary



Linda Hudson
Mayor-Member

Management Team

William G. Thiess, P.E., Director of Utilities
William E. Baldwin, P.E., Director of Electric & Gas Systems
Timothy E. Perkins, P.E., Director of Water/Wastewater Systems
Evelyn I. Walker, Director of Shared Services
Nina B. Hurtubise, CPA, Director of Finance
Nancy A. Dallaire, Risk Manager

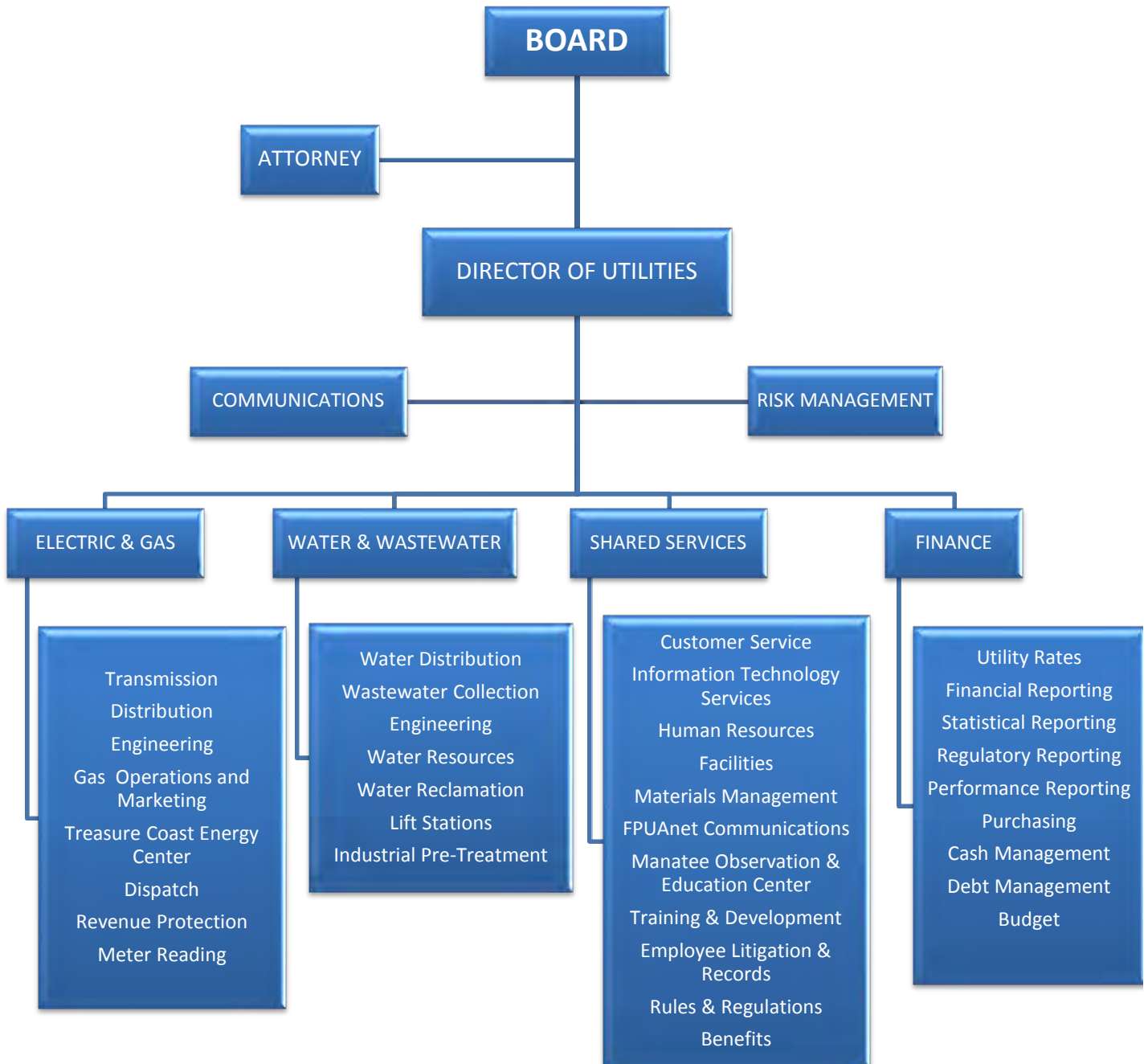
Counsel

R.N. Koblegard, III, Esquire

Independent Certified Public Accountants

DiBartolomeo, McBee, Hartley & Barnes

Fort Pierce Utilities Authority ORGANIZATION CHART





INDEPENDENT AUDITOR'S REPORT

Board Members
Fort Pierce Utilities Authority
Fort Pierce, Florida

Report on the Financial Statements

We have audited the accompanying financial statements of the Fort Pierce Utilities Authority (the "FPUA"), as of and for the year ended September 30, 2013, and the related notes to the financial statements, which collectively comprise the FPUA's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the FPUA's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the FPUA's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the FPUA, as of September 30, 2013, and the respective changes in financial position and the cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

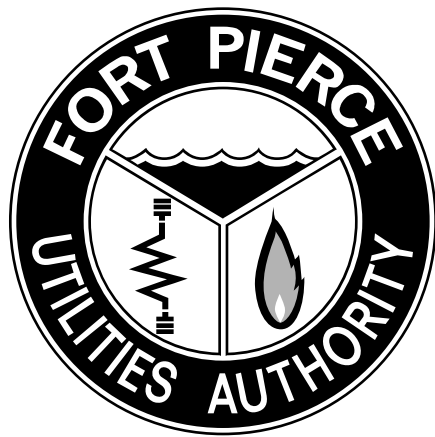
The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated February 28, 2014, on our consideration of the FPUA's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the FPUA's internal control over financial reporting and compliance.

DiBartolomeo, McBee, Hartley & Barnes

DiBartolomeo, McBee, Hartley & Barnes, P.A.
Fort Pierce, Florida
February 28, 2014



MANAGEMENT'S DISCUSSION AND ANALYSIS

This section of Fort Pierce Utilities Authority's (FPUA) Comprehensive Annual Financial Report presents the analysis of FPUA's financial performance during the fiscal year, which ended on September 30, 2013 (FY 2013). Please read it in conjunction with the financial statements, which follow this section.

FINANCIAL HIGHLIGHTS

Operating revenues increased \$543,000 over last year, and operating expenses increased \$469,000. Both increases were primarily a result of the addition of two contract gas customers which began billing in August 2012. Operating income of \$8,738,000 was up \$74,000 from \$8,664,000, which was reported for the previous year.

The ability to adjust rates in order to ensure that FPUA's electric, water, wastewater and natural gas utilities each generate sufficient revenue to cover their respective expenses is critical to FPUA's financial health. Rate adjustments were implemented in April 2013, and were implemented again in March 2014. These adjustments are described in detail on page 23. Current projections indicate that additional increases will be required in order to minimize cash flow deficiencies. Rates will continue to be reviewed on an annual basis to ensure that FPUA's rate structure properly reflects the recovery of the cost of operating and maintaining its electric, water, wastewater and natural gas systems.

Excluding the reduced recovery of power costs, electric operating revenues increased 4.5% over last year. Water and wastewater operating revenues were up 1.2% and 2.9% respectively from FY 2012. Excluding the increased recovery of gas costs, natural gas operating revenues increased 19.0 %, and units billed increased 49.1%. Units billed decreased 6.6% in the water system, 1.5% in the electric system, and 0.3% in the wastewater system. The average number of services billed decreased slightly in the electric, water and gas systems, but increased 1.3% in the wastewater system.

Based upon current estimates for the cost of remediation of the former site of the H.D. King Power Plant, additional cost of \$748,000 has been accrued to cover the costs associated with testing and cleanup of the site. An estimated liability in the amount of \$1.95 million is recorded as of September 30, 2013 related to the remediation (See Note O for details).

The Distribution to the City of Fort Pierce increased \$599,000 over last year as anticipated. This was primarily a result of the February 2012 restructuring of the electric and gas rates. Portions of the purchased power and gas costs were moved in the base rates and became subject to the 6% distribution calculation multiplier.

In order to limit the amount of future rate increases, staff continues to limit non-essential spending. However, the need for preventive maintenance and renewal and replacement capital spending places pressure on cash flow. FPUA intends to continue to provide the very reliable and high quality of service customers have come to expect, even though tough economic times have obligated staff to focus on operating with limited resources.

OVERVIEW OF THE FINANCIAL STATEMENTS

FPUA is a single enterprise fund even though it provides various utility services. The Comprehensive Annual Financial Report (CAFR) is presented in four sections: Introductory, Financial, Statistical, and Compliance. The Introductory section includes a letter of transmittal and other material that is useful in understanding the reporting entity. The Financial section includes the independent auditor's report and financial statements of FPUA. The financial statements present fairly the financial position, results of operations, and cash flows for the fiscal year. Selected financial and demographic information that is beneficial to the reader in understanding FPUA's historical growth and future growth prospects is found in the Statistical section of the CAFR. The Compliance section includes compliance reports.

REQUIRED FINANCIAL STATEMENTS

The financial statements report information about FPUA using accounting methods similar to those used by private sector companies. These statements offer short- and long-term financial information about FPUA's activities. The **Statement of Net Position** includes all of FPUA's assets and liabilities and provides information about the nature and amounts of investments in resources (assets) and the obligations to FPUA's creditors (liabilities). It also provides the basis for computing rate of return, evaluating the capital structure of FPUA, and assessing the liquidity and financial flexibility of FPUA.

All of the current year's revenues and expenses are accounted for in the **Statement of Revenues, Expenses and Changes in Net Position**. This statement measures the success of FPUA's operations over the past year and can be used to determine whether FPUA has successfully recovered all of its costs through user fees and other charges. This statement also measures FPUA's profitability and credit worthiness. The other required financial statement is the **Statement of Cash Flows**. The primary purpose of this statement is to provide information about FPUA's cash receipts and cash payments during the reporting period. This statement reports cash receipts, cash payments, and net changes in cash resulting from operations, investing and financing activities. It also provides answers to such questions as, "where did cash come from, what was cash used for, and what was the change in the cash balance during the reporting period?"

FINANCIAL ANALYSIS OF FPUA AS A WHOLE

One of the most important questions asked about FPUA's finances is, "Is FPUA, as a whole, better off or worse off as a result of the year's activities?" The Statement of Net Position and the Statement of Revenues, Expenses, and Changes in Net Position report information about FPUA's activities in a way that will help answer this question. These two statements report the net position of FPUA and changes in them. FPUA's net position – the difference between assets and liabilities – may be thought of as one way to measure financial health or financial position. Over time, increases or decreases in FPUA's net position are one indicator of whether its financial health is improving or deteriorating. However, other non-financial factors such as changes in economic conditions, customer growth, and legislative mandates must also be considered.

Although FPUA's total Net Position decreased from last year by \$290,000, it is important to note that Unrestricted Net Position increased \$2,355,000. Total assets have decreased primarily due to a 2.7% decrease in capital asset valuation, which is a result of decreased investment due to the implementation of cost cutting measures, as well accelerating depreciation on certain asset classes. The decrease in capital asset valuation was partially offset by higher balances in unrestricted cash and investments. Total liabilities decreased as a result of the annual repayment of principal on revenue bonds payable. The analysis below focuses on FPUA's Net Position (Table 1) and Changes in Net Position (Table 2) during the year.

Table 1
Net Position
(Dollars in Thousands)

| | <u>9/30/2013</u> | <u>9/30/2012</u> | <u>Increase (Decrease)</u> | |
|---|--------------------------|--------------------------|--------------------------------|----------------------|
| | | | <u>\$</u> | <u>%</u> |
| Current Unrestricted Assets | \$ 50,213 | \$ 48,103 | \$ 2,110 | 4.4% |
| Current Restricted Assets | 21,954 | 21,810 | 144 | 0.7% |
| Noncurrent Unrestricted Assets | 3,507 | 3,852 | (345) | (9.0%) |
| Noncurrent Restricted Assets | 6,703 | 6,703 | - | 0.0% |
| Capital Assets | <u>216,360</u> | <u>222,337</u> | <u>(5,977)</u> | <u>(2.7%)</u> |
| Total Assets | <u>\$ 298,737</u> | <u>\$ 302,805</u> | <u>\$ (4,068)</u> | <u>(1.3%)</u> |
| Current Unrestricted Liabilities | \$ 13,616 | \$ 13,103 | \$ 513 | 3.9% |
| Current Liabilities Payable From Restricted Assets | 15,214 | 14,688 | 526 | 3.6% |
| Noncurrent Liabilities | <u>90,749</u> | <u>95,566</u> | <u>(4,817)</u> | <u>(5.0%)</u> |
| Total Liabilities | <u>\$ 119,579</u> | <u>\$ 123,357</u> | <u>\$ (3,778)</u> | <u>(3.1%)</u> |
| Net Position: | | | | |
| Net Investment in Capital Assets | \$ 121,450 | \$ 123,713 | \$ (2,263) | (1.8%) |
| Restricted | 13,443 | 13,825 | (382) | (2.8%) |
| Unrestricted | <u>44,265</u> | <u>41,910</u> | <u>2,355</u> | <u>5.6%</u> |
| Total Net Position | <u>\$ 179,158</u> | <u>\$ 179,448</u> | <u>\$ (290)</u> | <u>(0.2%)</u> |

Changes in FPUA's net position can be determined by reviewing the following condensed Statement of Revenues, Expenses, and Changes in Net Position for the year.

Table 2
Statement of Revenues, Expenses, and Changes in Net Position
(Dollars in Thousands)

| | <u>FY 2013</u> | <u>FY 2012</u> | <u>Increase (Decrease)</u> | |
|---|-------------------|-------------------|----------------------------|---------------|
| | | | <u>\$</u> | <u>%</u> |
| Operating Revenues | | | | |
| Electric | \$ 66,502 | \$ 67,458 | \$ (956) | (1.4%) |
| Water | 13,456 | 13,293 | 163 | 1.2% |
| Wastewater | 11,684 | 11,350 | 334 | 2.9% |
| Natural Gas | 4,648 | 3,701 | 947 | 25.6% |
| MOEC | 348 | 337 | 11 | 3.3% |
| FPUAnet Communications | 395 | 351 | 44 | 12.5% |
| Nonoperating Revenues | | | | |
| Investment and Other Income | 1,961 | 2,211 | (250) | (11.3%) |
| Grant Revenue | 12 | 8 | 4 | 50.0% |
| Capital Contributions | 1,392 | 1,229 | 163 | 13.3% |
| Total Revenues | <u>100,398</u> | <u>99,938</u> | <u>460</u> | <u>0.5%</u> |
| Operating Expenses | | | | |
| Purchases for Resale | 44,800 | 44,356 | 444 | 1.0% |
| Plant Operations | 5,127 | 5,336 | (209) | (3.9%) |
| Field Operations | 8,579 | 8,236 | 343 | 4.2% |
| General and Administrative | 14,489 | 14,645 | (156) | (1.1%) |
| Depreciation | 15,300 | 15,253 | 47 | 0.3% |
| Nonoperating Expenses | | | | |
| Distribution to the City of Fort Pierce | 5,366 | 4,767 | 599 | 12.6% |
| Interest and Amortization | 4,612 | 4,723 | (111) | (2.4%) |
| TCEC Expenses | 1,654 | 1,642 | 12 | 0.7% |
| Extraordinary Expense | 761 | 1,200 | (439) | (36.6%) |
| Total Expenses | <u>100,688</u> | <u>100,158</u> | <u>530</u> | <u>0.5%</u> |
| Change in Net Position | (290) | (220) | (70) | 31.8% |
| Beginning Net Position | <u>179,448</u> | <u>179,668</u> | <u>(220)</u> | <u>(0.1%)</u> |
| Ending Net Position | <u>\$ 179,158</u> | <u>\$ 179,448</u> | <u>\$ (290)</u> | <u>(0.2%)</u> |

Many of the explanations of the changes in net position have been discussed previously in the financial highlights. Rate adjustments, low natural gas prices, and the addition of three natural gas contract customers have contributed to the most significant changes from the prior year.

The distribution to the City of Fort Pierce, based on FY 2013 revenues, computes to \$5,605,000 and will be paid in April 2014 (see Note E for details). Last year's distribution, based on FY 2012 revenues, totaled \$5,365,000, and was paid in April 2013. The increase in the 2014 distribution reflects a full year of billing the electric and gas rates which were restructured to increase the base rates which are subject to the calculation at 6% of gross revenue.

CAPITAL ASSETS

Major projects, and the costs associated with each during FY 2013, include:

Since many of the projects rehabilitate deteriorating lines in the older sections of the City, the impact on operating and maintenance expenses is expected to be favorable. However, over 130 miles of old water and wastewater lines remain in those systems. Replacement of these lines is being phased over a 25-year period to soften the impact on rates.

At the end of FY 2013, FPUA had \$216,360,000 invested in a broad range of net utility capital assets, including its electric and natural gas transmission and distribution systems, water treatment plant, water transmission and distribution mains, water storage facilities, pump stations, water reclamation facility, MWRF deep injection wells, and related wastewater collection plant facilities.

This amount represents an overall decrease in capital assets of \$5,977,000, or a 2.7% reduction since September 30, 2012 (see Note C for more information on Capital Assets). This change consists of \$9,323,000 in capital acquisitions and contributed assets, less \$15,300,000 of depreciation. Staff continues to accelerate depreciation on certain asset classes by reducing the useful life of assets, based on current data.

The following tables summarize FPUA's capital assets, net of accumulated depreciation, and changes therein, for the year ended September 30, 2013.

Table 3
Capital Assets, Net of Accumulated Depreciation
Categorized by System
(Dollars in Thousands)

| | <u>9/30/2013</u> | <u>9/30/2012</u> | <u>Increase (Decrease)</u> | |
|-----------------|-------------------|-------------------|----------------------------|---------------|
| | | | <u>\$</u> | <u>%</u> |
| Electric | \$ 68,627 | \$ 71,401 | \$ (2,774) | (3.9%) |
| Water | 70,172 | 69,137 | 1,035 | 1.5% |
| Wastewater | 62,380 | 66,403 | (4,023) | (6.1%) |
| Shared Services | 8,218 | 8,479 | (261) | (3.1%) |
| Gas | 6,142 | 6,120 | 22 | 0.4% |
| FPUAnet | 728 | 693 | 35 | 5.1% |
| MOEC | 93 | 104 | (11) | (10.6%) |
| Total | <u>\$ 216,360</u> | <u>\$ 222,337</u> | <u>\$ (5,977)</u> | <u>(2.7%)</u> |

Table 4
Capital Assets, Net of Accumulated Depreciation
Categorized by Asset Class
(Dollars in Thousands)

| | <u>9/30/2013</u> | <u>9/30/2012</u> | <u>Increase (Decrease)</u> | |
|--|------------------|------------------|----------------------------|---------------|
| | | | <u>\$</u> | <u>%</u> |
| Land | \$ 10,219 | \$ 10,207 | \$ 12 | 0.1% |
| Transmission, distribution, and collection systems | 163,802 | 168,560 | (4,758) | (2.8%) |
| Equipment | 10,119 | 10,923 | (804) | (7.4%) |
| Structures and improvements | 16,470 | 17,162 | (692) | (4.0%) |
| Construction work in progress | 15,750 | 15,485 | 265 | 1.7% |
| Total | <u>\$216,360</u> | <u>\$222,337</u> | <u>\$ (5,977)</u> | <u>(2.7%)</u> |

DEBT ADMINISTRATION

At September 30, 2013, FPUA had outstanding revenue bonds in the amount of \$95,087,000. Debt service schedules extend to October 1, 2029. Interest rates range from 1.34% to 5.90% on the bonds. Principal payments are due October 1 of each year. Principal on the bonds of \$6,653,000 was due and paid on October 1, 2013.

On December 21, 2012, the bond rating firm, Standard & Poor's, raised its rating on FPUA's revenue bonds to an 'A'. On April 30, 2010, the bond rating firm, Fitch Ratings Ltd., recalibrated FPUA's underlying long term rating to 'A+'. Both firms also stated that FPUA's rating outlook is stable.

FPUA's debt service coverage ratio was 2.51 times for the twelve months ended September 30, 2013, compared to 2.41 times on September 30, 2012. This coverage ratio remains well above the 1.25 minimum requirement.

In January 2012, FPUA's master bond resolution was amended with the consent of FPUA's bond insurers. As a condition of the amendment, FPUA has agreed to make monthly transfers totaling \$1,976,825 to its Debt Service Reserve account over the subsequent 60 months. This agreement is expected to provide investors additional assurance that bond principal and interest will be paid as promised, as the credit rating of FPUA's bond insurers continues to decline.

On November 14, 2012, FPUA issued Taxable Utilities Refunding Revenue Bonds, Series 2012 at an interest rate of 1.34% to provide for the redemption of Series 2003 Utilities Revenue Bonds, with an interest rate of 5%, on October 1, 2013. The net present value savings is calculated to be \$1,155,334.

See Note F for additional information related to revenue bonds payable.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

The real estate market decline has slowed – in spite of low prices and a record number of foreclosures, real estate sales are beginning to pick up. Some upscale development has taken place in the service territory; however, many completed units remain unoccupied.

Although the units billed in the electric, water and wastewater systems decreased slightly in FY 2013, gas system units billed increased. The average number of services billed decreased slightly in the electric, water and gas systems, but increased in the wastewater system. Conservation, improved appliance efficiency, limitations imposed by the South Florida Water Management District, abatement of dry weather conditions, mild winters, and elasticity of demand have all contributed to overall decreases in utility unit sales in recent years.

Rate studies are updated for all utilities at least annually, and rate adjustments will continue to be made in future years to ensure that FPUA's electric, water, wastewater, and natural gas utilities each generate sufficient revenue to cover their respective expenses. A power cost adjustment (PCA) and purchased gas adjustment (PGA) are adopted as needed by the FPUA Board to ensure FPUA is recovering the cost of energy, and stabilize the amounts billed to customers.

Rate adjustments were implemented in April 2013 and were implemented again in March 2014.

On April 1, 2013, the following changes became effective:

- Decrease of \$4 per 1,000 kilowatt hours was applied to the base electric energy rate,
- Increase of 6.5% was applied to the water customer and volume charges, and
- Increase of 2.4% based on the 2012 Florida Public Service Commission price index (PSC index) was applied to the wastewater customer and collection charges and the natural gas customer and commodity charges.

On March 1, 2014, the following changes became effective:

- Decrease of \$1 per 1,000 kilowatt hours was applied to the base electric energy rate,
- Increase of 3.7% was applied to the water customer and volume charges, and
- Increase of 1.6% based on the 2013 PSC index was applied to the wastewater customer and collection charges and the natural gas customer and commodity charges.

Rates will continue to be reviewed on an annual basis to ensure FPUA's rate structure properly reflects the recovery of the cost of operating and maintaining its electric, water, wastewater, and natural gas systems.

Current rate schedules and charges are available on FPUA's website, www.fpua.com.

CONTACTING FPUA'S FINANCIAL MANAGEMENT

This financial report is designed to provide FPUA's ratepayers and creditors with a general overview of FPUA's finances and to demonstrate FPUA's accountability for the money it receives. Questions about this report, or requests for additional financial information, should be directed to FPUA's Director of Finance at Fort Pierce Utilities Authority, P.O. Box 3191, Fort Pierce, FL 34948-3191, or e-mail nhurtubise@fpua.com. This report and bond disclosure information is available on FPUA's website – www.fpua.com.

FORT PIERCE UTILITIES AUTHORITY
Statement of Net Position
September 30, 2013
(With comparative totals for September 30, 2012)
(Dollars in Thousands)

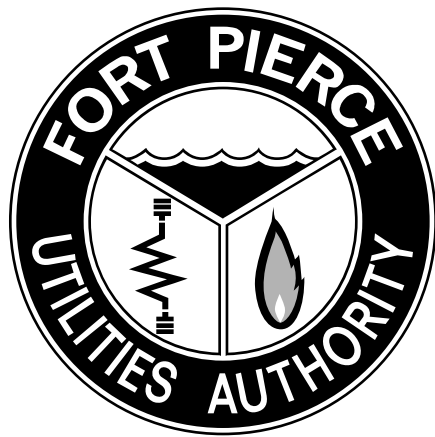
| | 2013 | 2012 |
|--|-------------------|-------------------|
| ASSETS | | |
| CURRENT ASSETS | | |
| Equity in Pooled Cash and Investments | \$ 32,533 | \$ 30,179 |
| Accounts Receivable, Net of Allowance for Uncollectible Accounts of \$3,951 in 2013 and \$3,461 in 2012 | 7,137 | 7,438 |
| Unbilled Receivables | 5,380 | 5,260 |
| Due from other Governments | 447 | 547 |
| Inventories and Other Current Assets | 4,716 | 4,679 |
| Total Current Unrestricted Assets | 50,213 | 48,103 |
| Restricted Equity in Pooled Cash and Investments | 14,483 | 13,991 |
| Restricted Cash with Fiscal Agent | 7,471 | 7,819 |
| Total Current Restricted Assets | 21,954 | 21,810 |
| Total Current Assets | 72,167 | 69,913 |
| NONCURRENT ASSETS | | |
| FMPA Working Capital Receivable | 1,919 | 1,919 |
| Deferred Charges | 930 | 1,103 |
| Investment in Public Gas Partners Pool | 658 | 830 |
| Total Unrestricted Noncurrent Assets | 3,507 | 3,852 |
| Restricted Equity in Pooled Cash and Investments | 6,703 | 6,703 |
| Capital Assets: | | |
| Utility Plant in Service | 411,561 | 406,146 |
| Construction Work in Progress | 15,750 | 15,485 |
| Less Accumulated Depreciation | (210,951) | (199,294) |
| Total Capital Assets (net of Accumulated Depreciation) | 216,360 | 222,337 |
| Total Noncurrent Assets | 226,570 | 232,892 |
| TOTAL ASSETS | \$ 298,737 | \$ 302,805 |

The accompanying notes are an integral part of this financial statement.

FORT PIERCE UTILITIES AUTHORITY
Statement of Net Position
September 30, 2013
(With comparative totals for September 30, 2012)
(Dollars in Thousands)

| | 2013 | 2012 |
|--|-------------------|-------------------|
| LIABILITIES AND NET POSITION | | |
| CURRENT LIABILITIES | | |
| Accounts Payable and Accrued Expenses | \$ 9,295 | \$ 7,785 |
| Deferred Revenues | 3,567 | 4,498 |
| Accrued Compensated Absences | - | 82 |
| Due to City of Fort Pierce | 732 | 699 |
| Revenue Bonds Payable - Current | 6,653 | 5,955 |
| Accrued Interest Payable Revenue Bonds | 1,356 | 1,864 |
| Customer Deposits | 7,205 | 6,869 |
| Capital Leases Payable | 22 | 39 |
| | 28,830 | 27,791 |
| Total Current Liabilities | | |
| NONCURRENT LIABILITIES | | |
| Revenue Bonds Payable, Net of Current Amounts and Unamortized Discounts | 87,493 | 92,682 |
| Other Post Employment Benefit Obligation | 564 | 509 |
| Accrued Compensated Absences | 1,830 | 1,675 |
| Capital Leases Payable | 105 | - |
| Other Noncurrent Liabilities | 757 | 700 |
| | 90,749 | 95,566 |
| Total Noncurrent Liabilities | | |
| Total Liabilities | 119,579 | 123,357 |
| NET POSITION | | |
| Invested in Capital Assets, Net of Related Debt | 121,450 | 123,713 |
| Restricted Capital Improvement Charges | 6,740 | 7,122 |
| Restricted for Debt Service | 4,139 | 3,744 |
| Restricted for Emergencies | 2,000 | 2,000 |
| Restricted for Renewals and Replacements | 564 | 959 |
| Unrestricted | 44,265 | 41,910 |
| | 179,158 | 179,448 |
| Net Position | | |
| TOTAL LIABILITIES AND NET POSITION | \$ 298,737 | \$ 302,805 |

The accompanying notes are an integral part of this financial statement.



FORT PIERCE UTILITIES AUTHORITY
Statement of Revenues, Expenses and Changes in Net Position
Year Ended September 30, 2013
(With comparative totals for the year ended September 30, 2012)
(Dollars in Thousands)

| | <u>2013</u> | <u>2012</u> |
|--|-------------------------|-------------------------|
| OPERATING REVENUES | | |
| Sales and charges for services | \$ 94,861 | \$ 94,319 |
| Other | 2,172 | 2,171 |
| | <hr/> | <hr/> |
| Total Operating Revenues | 97,033 | 96,490 |
| OPERATING EXPENSES | | |
| Purchases for resale | 44,800 | 44,356 |
| Plant operations | 5,127 | 5,336 |
| Field operations | 8,579 | 8,236 |
| General and administrative | 14,489 | 14,645 |
| Depreciation | 15,300 | 15,253 |
| | <hr/> | <hr/> |
| Total Operating Expenses | 88,295 | 87,826 |
| | <hr/> | <hr/> |
| OPERATING INCOME | 8,738 | 8,664 |
| NONOPERATING REVENUES (EXPENSES) | | |
| Investment and other income | 1,961 | 2,211 |
| Grant revenue | 12 | 8 |
| TCEC expenses | (1,654) | (1,642) |
| Interest expense | (4,612) | (4,723) |
| Distribution to General Fund - City of Fort Pierce | (5,366) | (4,767) |
| | <hr/> | <hr/> |
| Total Nonoperating Revenues (Expenses) | (9,659) | (8,913) |
| | <hr/> | <hr/> |
| INCOME (LOSS) BEFORE CAPITAL CONTRIBUTIONS | (921) | (249) |
| Capital contributions | 1,392 | 1,229 |
| | <hr/> | <hr/> |
| INCOME BEFORE EXTRAORDINARY ITEMS | 471 | 980 |
| Extraordinary Income (Expense) | (761) | (1,200) |
| | <hr/> | <hr/> |
| CHANGE IN NET POSITION | (290) | (220) |
| Net Position - Beginning of Year | <hr/> 179,448 | <hr/> 179,668 |
| Net Position - End of Year | <hr/> <u>\$ 179,158</u> | <hr/> <u>\$ 179,448</u> |

The accompanying notes are an integral part of this financial statement.

FORT PIERCE UTILITIES AUTHORITY
Statement of Cash Flows
Year Ended September 30, 2013
(With comparative totals for the year ended September 30, 2012)
(Dollars in Thousands)

| | <u>2013</u> | <u>2012</u> |
|---|-----------------|-----------------|
| CASH FLOWS FROM OPERATING ACTIVITIES | | |
| Receipts from customers | \$ 94,286 | \$ 95,103 |
| Receipts from other sources | 2,172 | 2,171 |
| Payments to suppliers for goods and services | (51,653) | (54,092) |
| Payments to employees for services | (13,159) | (12,774) |
| Payments for benefits on behalf of employees | (6,083) | (5,996) |
| Net cash provided by operating activities | <u>25,563</u> | <u>24,412</u> |
| CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES | | |
| Increase in payable to City of Fort Pierce | 33 | 10 |
| Proceeds received for Grants & Storm damages | 12 | 8 |
| Payments for other non-operating activities | (1,764) | (1,642) |
| Distribution to City of Fort Pierce | (5,366) | (4,767) |
| Net cash used by noncapital financing activities | <u>(7,085)</u> | <u>(6,391)</u> |
| CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES | | |
| Acquisition and construction of capital assets | (10,346) | (8,431) |
| Capital contributions | 1,337 | 726 |
| Proceeds from issuance of debt | 28,436 | - |
| Bond and loan principal payments | (32,164) | (4,698) |
| Bond and loan interest payments | (5,120) | (4,865) |
| Proceeds from capital lease obligation | 144 | - |
| Payment on capital lease obligation | (56) | (32) |
| Net cash used by capital and related financing activities | <u>(17,769)</u> | <u>(17,300)</u> |
| CASH FLOWS FROM INVESTING ACTIVITIES | | |
| Decrease in value of PGP Investment | (172) | (11) |
| Interest on investments | 1,961 | 2,221 |
| Net cash provided by investing activities | <u>1,789</u> | <u>2,210</u> |
| Net Increase (Decrease) in Cash and Cash Equivalentents | <u>\$ 2,498</u> | <u>\$ 2,931</u> |

The accompanying notes are an integral part of this financial statement.

FORT PIERCE UTILITIES AUTHORITY
Statement of Cash Flows
Year Ended September 30, 2013
(With comparative totals for the year ended September 30, 2012)
(Dollars in Thousands)

| | 2013 | 2012 |
|--|-------------|-------------|
| Net Increase (Decrease) in Cash and Cash Equivalents | \$ 2,498 | \$ 2,931 |
| Cash and Cash Equivalents at Beginning of Year | 58,692 | 55,761 |
| Cash and Cash Equivalents at End of Year | \$ 61,190 | \$ 58,692 |
| Current equity in investments | \$ 32,533 | \$ 30,179 |
| Restricted equity in investments | 21,186 | 20,694 |
| Cash with fiscal agent | 7,471 | 7,819 |
| Total Cash and Cash Equivalents | \$ 61,190 | \$ 58,692 |
| RECONCILIATION OF OPERATING INCOME TO NET | | |
| CASH PROVIDED BY OPERATING ACTIVITIES | | |
| Operating income | \$ 8,738 | \$ 8,664 |
| Adjustments to reconcile operating income to net cash provided by operating activities: | | |
| Depreciation expense | 15,300 | 15,253 |
| Inventory adjustment and bad debts | 338 | 280 |
| (Increase) decrease in accounts receivable | 301 | 245 |
| (Increase) decrease in unbilled revenue | (120) | 92 |
| (Increase) decrease in inventories and other current assets | 136 | 134 |
| Increase (decrease) in accounts payable | 1,673 | (565) |
| Increase (decrease) in compensated absences | 73 | 111 |
| Increase (decrease) in other post employment benefits | 55 | 53 |
| Increase (decrease) in deferred revenues | (931) | 145 |
| | \$ 25,563 | \$ 24,412 |
| NONCASH INVESTING, CAPITAL, AND FINANCING ACTIVITIES: | | |
| Contributions of capital assets | \$ 54 | \$ 509 |

The accompanying notes are an integral part of this financial statement.

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Reporting Entity

The voters of the City of Fort Pierce, Florida authorized the organization of the Fort Pierce Utilities Authority (FPUA) at a special election held May 30, 1972. FPUA commenced operations as of June 30, 1972, and is responsible for management and operation of the combined Electric, Water, Wastewater, and Gas Systems, FPUAnet and the Manatee Observation and Education Center. The City Charter, Article XII, defines the powers, duties, and responsibilities of FPUA. The members of FPUA's governing board are elected and may be removed from office by the Fort Pierce City Commission. FPUA's budget is subject to approval of the City Commission, as are rates for service.

The accounts at September 30, 2013, and for the year then ended, of the various utility systems of FPUA are included as a discretely presented component unit of the City of Fort Pierce, Florida, financial statements. FPUA has no component units.

Basis of Presentation

The accounts of FPUA are an enterprise fund. An enterprise fund is a Proprietary type fund used to account for operations (a) that are financed and operated in a manner similar to private business enterprises -- where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

Measurement focus is a term used to describe "which" transactions are recorded within the various financial statements. Basis of accounting refers to "when" transactions are recorded regardless of the measurement focus applied. The accompanying financial statements are reported using the "economic resources measurement focus," and the "accrual basis of accounting." Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

GASB Statement No. 49 – FPUA financials are presented in accordance with the provisions of GASB Statement No. 49, *Accounting and Financial Reporting for Pollution Remediation Obligations*, beginning with the fiscal year ended September 30, 2011. FPUA and the Fort Pierce Redevelopment Agency (FPRA) have a dual responsibility for pollution remediation and monitoring of the former H.D. King Power Plant site. The cost for this action has been estimated, at September 30, 2013, to be \$1,948, which is expected to be paid out over the next two fiscal years (See Note O).

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

Operating Revenues and Expenses – Operating revenues and expenses generally result from providing services in connection with FPUA’s principal ongoing operations. The principal operating revenues of FPUA consists of charges to customers for sales of electricity, water and natural gas and services including wastewater collection, operation of the Manatee Observation and Education Center (MOEC) and FPUAnet communications services. Operating expenses include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

Assets, Liabilities and Net Position

Pooled Cash and Investments - FPUA, for accounting and investment purposes, pools certain cash and investments. Cash and cash equivalents are considered to be cash on hand, certificates of deposit, Local Government Surplus Funds Trust Fund, Overnight Repurchase Agreements, and short-term investments with original maturities of three months or less from the date of acquisition.

In accordance with GASB 31 investments are stated at fair value based on per share prices. The Florida PRIME Investment Pool (LGIP) is considered to be a “2a-7 like” investment, and is accounted for at fair value for financial reporting. The Fund B however, is accounted for and reported with a fluctuating Net Asset Value (NAV). The unrecognized gain on this investment, at September 30, 2013, is \$20. Florida PRIME has a current rating by Standard and Poor’s of AAAM while Fund B is not currently rated by any nationally recognized rating agency. There is a risk of loss on these investments based upon the fluctuation of interest rates and lengths of maturity.

Florida PRIME Fund B is governed by Chapters 215 and 218 of the Florida Statutes and Chapter 19-7 of the Florida Administrative Code, which identifies the Rules of the State Board of Administration (SBA). These rules provide guidance and establish the general operating procedures for the administration of the fund. The Board of Trustees of the SBA, delegate the administrative and investment authority to the Executive Director of the SBA. An Investment Advisory Council and a Participant Local Government Advisory Council are appointed to review this policy annually and propose any changes. All actions are subject to Applicable Florida Law.

Florida PRIME is not a registrant with the Securities and Exchange Commission (SEC); however the Board has adopted operating procedures consistent with the requirements for a 2a-7 fund.

Unbilled Service Receivables - These receivables represent the estimated amount of accounts receivable for services that have not been billed as of the balance sheet date. The amounts are a result of a timing difference between the end of the financial statement cycle (month end) and the billing cycle (various dates within the month for each billing period).

Inventories - Inventories of fuel, chemicals, supplies, construction materials, and utility plant replacement parts are recorded at lower of weighted average cost or market.

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September 30, 2013

(Dollars in Thousands)

Utility Plant - Utility plant is stated at historical cost for items constructed or acquired by purchase and at estimated fair market value on the date received for contributed capital. Utility plant assets are defined by FPUA as assets with an initial, individual cost of \$5,000 or more and an estimated useful life of one year or more. (See Note C for interest capitalization.)

Depreciation of all exhaustible utility plant assets, including those acquired through intergovernmental grants externally restricted to capital acquisitions, is charged as an expense against operations. Accumulated depreciation is reported on the balance sheet.

Depreciation is calculated using the straight line method over the following estimated useful lives:

| | |
|--|------------|
| Structures and improvements | 3-55 years |
| Equipment | 3-40 years |
| Transmission, distribution, and collection plants | 5-60 years |

Purchased Power and Gas Adjustments - The rate schedules of the Electric and Gas Systems provide that fuel cost increases, decreases, and credits, as computed under formulas adopted by FPUA, will be passed on to the customers. These charges or credits are recorded as a deferred charge or deferred revenue.

Long-Term Liabilities – Bonds payable are reported net of any applicable bond premium or discount. Bond premiums and discounts, as well as issuance costs, are deferred and amortized over the life of the bonds using the effective interest method. Bond issuance costs are reported as deferred charges and amortized over the term of the related debt.

Net Position – FPUA’s equity is presented as net position and displayed in six components:

- Invested in Capital Assets, Net of Related Debt – Consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds that are attributable to the acquisition, construction, or improvement of those assets.
- Restricted Capital Improvement Charges – Consists of the unspent Capital Improvement Charges (CIC's) collected in the Electric, Water and Wastewater Systems. The respective balances as of September 30, 2013 are \$380, \$5,703, and \$657. Electric CIC’s are used to fund the cash outlay or debt service associated with the expansion of Electric Substations and Electric Transmission & Distribution Systems. In the Water and Wastewater Systems, CIC’s are used to fund the cash outlay or debt service associated with specific expansion and growth related projects.

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September 30, 2013

(Dollars in Thousands)

- Restricted for Debt Service – Consists of net position set aside for payment of principal and interest on the 2009 Utilities Revenue Refunding Bonds and additional amounts in accordance with FPUA’s Master Bond Resolution, as revised in 2012.
- Restricted for Emergencies – Consists of \$2,000 in net position, set aside for emergencies which is limited to paying for repairs or replacements of FPUA capital assets damaged or destroyed by a disaster.
- Restricted for Renewals and Replacements – Consists of net position which is limited to paying for the cost of extensions, enlargements or additions to or the replacement of FPUA capital assets.
- Unrestricted – All other net position that do not meet the definition of “restricted” or “invested in capital assets, net of related debt.”

Comparative data

Comparative total data for the prior year has been presented in order to provide an understanding of the changes in the financial position and the results of operations of FPUA.

Budget Process

FPUA is required to prepare, adopt, and furnish a copy to the City Commission of the City of Fort Pierce an annual budget at least 45 days prior to the beginning of the next fiscal year. The annual budget and any amendments thereto shall be in effect when approved by FPUA and when any line item expense has not been disapproved by four-fifths (4/5) vote of the City Commission within 30 days of submission. The budget is prepared on the accrual basis. The budget and amendments thereto for the year ended September 30, 2013, have been approved according to the above procedures.

Subsequent Events

Management has performed an analysis of the activities and transactions subsequent to September 30, 2013 to determine the need for any adjustments to and/or disclosures within the audited financial statements for the year ended September 30, 2013. Management has performed their analysis through February 28, 2014.

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

NOTE B – CASH AND INVESTMENTS

Cash Deposits - Florida Statutes require state and local governmental units to deposit monies with a financial institution classified as a "Qualified Public Depository," which is a multiple financial institution pool whereby groups of securities pledged by the various financial institutions provide common collateral for their deposits of public funds. This pool is provided as additional insurance to the federal depository insurance and allows for additional assessments against the member institutions, providing full insurance for public deposits. FPUA had deposits only with qualifying institutions as of September 30, 2013, or with banks in which depository insurance was sufficient to cover the deposit balance. At year end, FPUA's carrying amount of deposits was \$646 and the bank balance was \$217.

Investments – The following investments are considered cash equivalents for purposes of the Statement of Cash Flows and are shown net of any unrecognized loss (see Note A, Pooled Cash and Investments). FPUA's investments held throughout the year are principally the same as the investments held as of September 30, 2013. Due to fluctuations in cash flows, FPUA maintains investments in overnight repurchase agreements. The interest income generated on these investments, for the year ended September 30, 2013, was \$101.

As of September 30, 2013, FPUA had the following investments:

| <u>Investment</u> | <u>Fair Value</u> |
|---|-------------------|
| Florida State Board of Administration - Florida PRIME Investment Pool LGIP (Standard and Poors rated AAAM) | \$ 5,008 |
| Florida PRIME Investment Pool Fund B (This fund is not currently rated) | 148 |
| Seacoast National Bank Sweep | 40,136 |
| PNC Money Market | 7,052 |
| Harbor Community Bank Certificate of Deposit | 700 |
| Total | <u>\$ 53,044</u> |

Interest Rate Risk - As a means of limiting its exposure to fair value losses arising from fluctuating interest rates, FPUA's investment policy states that when interest rates are at historically low levels, funds will be placed in short maturities and that when interest rates are at historically high levels, funds may be placed into longer maturities to lock into these yields. As noted above, FPUA was required to become a participant in the SBA's Fund B. The weighted average life (WAL) of Fund B at September 30, 2013 is estimated at 4.04 years. However, because Fund B consists of restructured or defaulted securities there is considerable uncertainty regarding the weighted average life.

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

Credit Risk - FPUA is authorized by Resolution to invest in:

- (1) Local Government Surplus Funds Trust Funds.
- (2) Negotiable direct obligations of the United States Government, or obligations, the principal and interest of which are unconditionally guaranteed by the United States Government.
- (3) Obligations of the federal farm credit banks, the Federal Home Loan Mortgage Corporation, including Federal Home Loan Corporation participation certificates, or the Federal Home Loan Bank or its district banks, or obligations guaranteed by the Government National Mortgage Association, U.S. Treasury, agencies, and instrumentalities.
- (4) Repurchase agreements secured by the types of investments listed above, restricted as to acquisition, term, and market value.
- (5) Interest-bearing time deposits or savings accounts in banks organized under the laws of this state, in national banks organized under the laws of the United States and doing business and situated in this state, in savings and loan associations which are under state supervision, or in federal savings and loan associations located in this state and organized under federal law and federal supervision, provided that any such deposits are secured by collateral as may be prescribed by law.
- (6) Deposits and certificates of deposit in out-of-state banks, savings and loan associations, and other regulated financial institutions insured by the FDIC.
- (7) Full faith and credit direct general obligations of any state, or unlimited tax direct obligations of any political subdivision thereof, to the payment of which the full faith and credit of such political subdivision is pledged, provided that at the time of purchase such obligations are rated in either of the two highest rating categories by a nationally recognized rating agency.

Concentration of Credit Risk - FPUA places no limit on the amount that may be invested with any one issuer. A combined 85% of FPUA's investments are in overnight repurchase agreements and the Florida PRIME Investment Pool.

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

NOTE C – CAPITAL ASSETS

Capital Asset activity for the year ended September 30, 2013 was as follows:

| | Beginning Balance | Increases | Decreases | Ending Balance |
|---|----------------------|-----------------|-------------------|-------------------|
| Capital Assets, not being depreciated: | | | | |
| Land | \$ 10,207 | \$ 12 | \$ - | \$ 10,219 |
| Construction Work In Progress | 15,485 | 8,684 | (8,419) | 15,750 |
| Total Utility Plant, not being depreciated | 25,692 | 8,696 | (8,419) | 25,969 |
| Capital Assets, being depreciated: | | | | |
| Transmission, distribution and collection systems | 315,221 | 7,554 | (3,450) | 319,325 |
| Equipment | 43,612 | 476 | (211) | 43,877 |
| Structures and improvements | 37,106 | 1,038 | (4) | 38,140 |
| Total Utility Plant being depreciated | 395,939 | 9,068 | (3,665) | 401,342 |
| Less accumulated depreciation for: | | | | |
| Transmission, distribution and collection systems | (146,661) | (12,312) | 3,450 | (155,523) |
| Equipment | (32,689) | (1,258) | 189 | (33,758) |
| Structures and improvements | (19,944) | (1,730) | 4 | (21,670) |
| Total accumulated depreciation | (199,294) | (15,300) | 3,643 | (210,951) |
| Total Capital Assets, being depreciated, net | 196,645 | (6,232) | (22) | 190,391 |
| Total Capital Assets, net | <u>\$222,337</u> | <u>\$ 2,464</u> | <u>\$ (8,441)</u> | <u>\$216,360</u> |

Depreciation expense was charged to the utility systems as follows:

| | |
|--|-----------------|
| Electric | \$ 4,668 |
| Water | 4,044 |
| Wastewater | 6,194 |
| Gas | 304 |
| FPUAnet Communications | 79 |
| Manatee Observation and Education Center | <u>11</u> |
| | <u>\$15,300</u> |

Construction work in progress at September 30, 2013, consists principally of expansions and upgrades to the electric transmission and distribution system, water supply and distribution system, wastewater collection system, and gas distribution system.

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

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(Dollars in Thousands)

FPUA capitalizes interest costs on funds borrowed to finance the construction of utility plant in conformity with Statements of Financial Accounting Standards 34, 42, and 62 as applicable. Total interest costs for the year ended September 30, 2013, were \$4,613 including \$189 of capitalized interest reversed on plant utility construction costs.

FPUA has entered into contracts for the construction or renovation of various system assets as follows:

| <u>Upgrade and Expansion</u> | <u>Project Authorization</u> | <u>Expended to Date</u> | <u>Remaining Commitment</u> | <u>Required Further Financing</u> |
|----------------------------------|----------------------------------|-----------------------------|---------------------------------|---|
| Water | \$ 5,437 | \$ 1,839 | \$ 3,597 | None |
| Wastewater | 154 | 110 | 44 | None |
| Gas | 14 | 6 | 9 | None |
| Electric | 7 | 1 | 6 | None |
| | <u>\$ 5,612</u> | <u>\$ 1,956</u> | <u>\$ 3,656</u> | |

In addition, FPUA enters into unit price contracts for the construction or renovation of system assets. These contracts are not firm commitments, and the contractors are utilized as needed. As of September 30, 2013, costs of \$2,330 were authorized under these contracts, \$245 had been spent, and authorized amounts of \$2,085 remained.

NOTE D – RESTRICTED ASSETS

Certain assets are restricted by bond resolution; additionally, some assets have been classified as restricted in accordance with governmental accounting standards for enterprise funds and utility industry accounting practices.

FPUA's restricted assets consist of equity in pooled cash and investments and cash with fiscal agent in the following accounts:

| | |
|---------------------------------|-----------------|
| Principal and interest accounts | \$ 8,009 |
| Capital Improvement Charges | 6,740 |
| Customer security deposits | 7,205 |
| Debt Service | 4,139 |
| Emergency reserve | 2,000 |
| Renewal and replacement reserve | <u>564</u> |
| Total Restricted Assets | <u>\$28,657</u> |

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

NOTE E – DISTRIBUTION TO THE GENERAL FUND, CITY OF FORT PIERCE

As provided by an amendment to the Charter of the City of Fort Pierce, Florida, a percentage of FPUA's utility systems revenue is distributed to the City's General Fund on an annual basis. The distribution calculation is based on the preceding fiscal year audited financial statements. The following is the computation of the amounts distributable to the General Fund during the year ending September 30, 2014, based on the 6% distribution formula for the year ended September 30, 2013:

| | |
|--|------------------|
| Gross Revenue | \$ 100,399 |
| Plus: | |
| Gas Piping and Appliance Costs | <u>36</u> |
| | 100,435 |
| Less: | |
| Power Cost and Purchased Gas Adjustments | 2,969 |
| FMPA O&M Contract Income | 1,654 |
| Capital Contributions | 1,392 |
| FPUA net Operating Revenue | 395 |
| Manatee Observation and Education Center Operating Revenue | 348 |
| Revenue for City Billing | 187 |
| Gas Piping and Appliance Revenue | 58 |
| Grant Revenue | <u>12</u> |
| Adjusted Gross Revenue | <u>\$ 93,420</u> |
| Amount distributable to General Fund, City of Fort Pierce at 6% of gross revenues, as defined | <u>\$ 5,605</u> |

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

NOTE F – REVENUE BONDS PAYABLE

Bonds Payable at September 30, 2013, consist of:

| | |
|--|------------------|
| \$22,445 Utilities Refunding Revenue Bonds, Series 1999A, collateralized by pledge of and first lien on the net revenues of the combined systems, interest varying from 5.250% to 5.375% on the remaining annual principal amounts ranging from \$240 to \$255 through October 1, 2015. | \$735 |
| \$10,223 Utilities Revenue Capital Appreciation Bonds, Series 1999B, collateralized by pledge of and first lien on the net revenues of the combined systems, yield varying from 5.70% to 5.90%. The accreted value at September 30, 2013 is \$22,919. The bonds mature October 1, 2016 through October 1, 2024, with principal amounts totaling \$34,970 due in those years in annual amounts ranging from \$275 to \$4,340. | 22,919 |
| \$9,545 Utilities Revenue Bonds, Series 2002, collateralized by pledge of and first lien on the net revenues of the combined systems, interest at 5.0%. The bonds mature October 1, 2025 through October 1, 2027, with principal amounts ranging from \$3,025 to \$3,340. | 9,545 |
| \$42,965 Utilities Refunding Revenue Bonds, Series 2003, collateralized by pledge of and first lien on the net revenues of the combined systems, interest at 5.0% on the remaining annual principal amount of \$6,015 payable on October 1, 2013. | 6,015 |
| \$34,800 Utilities Refunding Revenue Bonds, Series 2009, collateralized by pledge of and first lien on the net revenues of the combined systems, interest varying from 3.90% to 5.00% on the remaining annual principal amounts ranging from \$1,210 to \$7,285 through October 1, 2029. | 34,800 |
| \$20,896 Taxable Utilities Refunding Bond, Series 2012, collateralized by a pledge of and first lien on the net revenues of the combined systems, interest at 1.34% on the remaining annual principal amounts ranging from \$398 to \$6,920 through on October 1, 2016. | 20,896 |
| On October 6, 2009 FPUA entered into an interlocal agreement with St. Lucie County (SLC). SLC performed a construction project which required relocation of utilities, and provided an advance to FPUA for a portion of the cost of the relocation work. FPUA intends to repay the advance by means of in-kind services, the value of which are subject to acceptance by SLC. | 177 |
| Total Revenue Bonds Payable at September 30, 2013 | \$95,087 |
| Less: Unamortized portion of revenue bond discounts | 279 |
| Unamortized deferred charges | 662 |
| Current portion of revenue bonds payable | <u>6,653</u> |
| | <u>\$ 87,493</u> |

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

Requirements to amortize all revenue bonds outstanding as of September 30, 2013 are as follows:

| <u>Year Ending September 30</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--|------------------|------------------|-------------------|
| 2014 | 6,653 | 2,762 | 9,415 |
| 2015 | 6,987 | 2,394 | 9,381 |
| 2016 | 7,086 | 2,291 | 9,377 |
| 2017 | 7,195 | 2,185 | 9,380 |
| 2018 | 5,545 | 2,093 | 7,638 |
| 2019-2022 | 22,872 | 7,868 | 30,740 |
| 2023-2026 | 23,635 | 6,926 | 30,561 |
| 2027-2030 | 27,165 | 3,397 | 30,562 |
| | <u>107,138</u> | <u>29,916</u> | <u>137,054</u> |
| Future accretion on capital appreciation bonds | <u>(12,051)</u> | <u>12,051</u> | <u>-</u> |
| | <u>\$ 95,087</u> | <u>\$ 41,967</u> | <u>\$ 137,054</u> |

Significant Bond Covenants for Utilities Revenue Bonds

The Series 1999, 2002, 2003 and 2009 bond issues provide that FPUA accumulate monthly 1/6 of the amount of all interest becoming due on the next semi-annual interest payment date, and 1/12 of the amount of principal which will become due and payable on the next principal maturity date. Additionally, FPUA's Master Bond Resolution require renewal and replacement, emergency reserve and debt service reserve subaccount funds with minimum requirements of \$500, \$900 and \$4,139, respectively. These reserves are funded in the amounts of \$564, \$2,000 and \$4,139 respectively, at September 30, 2013.

Defeasance of Revenue Bonds Payable

In prior years, FPUA defeased certain outstanding utilities revenue bonds issued for the systems payable out of revenues derived from the operation of the utility systems. These defeasances were achieved by placing the proceeds of refunding bonds in irrevocable trusts to provide for all future debt service payments on the old bonds. Accordingly, the trust account assets and the liabilities (including bond discounts and financing costs) for the defeased bonds are not included in FPUA's financial statements. At September 30, 2013, Utilities Revenue Bonds Series 1991 in the amount of \$27,355, and Utilities Revenue Bonds Series 2003 in the amount of \$19,940, are considered defeased.

FORT PIERCE UTILITIES AUTHORITY**Notes to Financial Statements**

September 30, 2013

(Dollars in Thousands)

Redemption Options Prior to Maturity

Series 1999A Bonds maturing on or after October 1, 2010 are redeemable prior to their stated dates of maturity, at the option of FPUA, at par plus accrued interest to the redemption date.

The 2002 Bonds maturing on October 1, 2027 are redeemable prior to their stated date of maturity, at the option of FPUA, beginning April 1, 2012 at par plus accrued interest to the redemption date.

The 2003 Bonds maturing on or after October 1, 2014 are redeemable prior to their stated date of maturity, at the option of FPUA, beginning October 1, 2013 at par. On November 14, 2012, FPUA issued Taxable Utilities Refunding Revenue Bonds, Series 2012 in the amount of \$20,896, in order to provide funds for the redemption of \$19,940 of the 2003 Bonds, in accordance with the above provisions.

The Series 2009 Bonds maturing on October 1, 2029 with an interest rate of 4.70% are redeemable prior to their stated date of maturity, at the option of FPUA, on or after October 1, 2014 at par plus accrued interest to the redemption date. The Series 2009 Bonds maturing on or after October 1, 2020 (excluding those maturing on October 1, 2029 with an interest rate of 4.70%) are redeemable prior to their stated date of maturity, at the option of FPUA, on or after October 1, 2019 at par plus accrued interest to the redemption date.

NOTE G – CHANGES IN LONG-TERM LIABILITIES

Long-term liability activity for the year ended September 30, 2013:

| | Beginning Balance | Additions | Reductions | Ending Balance | Due Within One Year |
|-----------------------------------|----------------------|------------------|--------------------|-------------------|------------------------|
| Revenue Bonds | \$ 98,814 | \$ 28,436 | \$ (32,163) | \$ 95,087 | \$ 6,653 |
| Deferred Amounts | (177) | (1,910) | 1,146 | (941) | - |
| Capital Leases | 39 | 144 | (56) | 127 | 22 |
| Compensated Absences | 1,757 | 1,425 | (1,352) | 1,830 | - |
| Other Post Employment Benefits | 509 | 55 | - | 564 | - |
| Pollution Remediation | 1,200 | 761 | (13) | 1,948 | 1,191 |
| Long Term Liabilities | <u>\$ 102,142</u> | <u>\$ 28,911</u> | <u>\$ (32,438)</u> | <u>\$ 98,615</u> | <u>\$ 7,866</u> |

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Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

NOTE H – COMPENSATED ABSENCES

Current policy allows each employee eligible for vacation leave, to accumulate a maximum of 30 days of vacation at the close of the last pay period of the fiscal year. Employees are paid up to 45 days of unused vacation leave at current hourly rates upon separation from the company. Employees who are eligible for sick leave are allowed unlimited accumulation. Upon termination, employees having at least 3 and less than 10 years of continuous service with FPUA will receive pay for 1/2 of their accumulated sick leave balance up to a maximum of 45 days. Those employees having at least 10 years of continuous service with FPUA will receive pay for their accumulated sick leave balance up to a maximum of 90 days.

Accrued liabilities, based on hourly rates at September 30, 2013, have been reflected in the accounts of FPUA for vested (not contingent on employee future service) vacation and sick leave benefits at September 30, 2013, as follows:

| | |
|----------------|----------------|
| Vacation leave | \$ 779 |
| Sick leave | <u>1,051</u> |
| | <u>\$1,830</u> |

Annually, FPUA offers its employees the opportunity to receive payment for up to 6 days of unused sick leave, calculated at current hourly rates, providing certain established criteria have been met. This sick leave conversion plan is intended to provide incentive for sick leave to be used only when necessary. During the year ended September 30, 2013, \$73 was paid to employees electing this option.

FPUA also offers its employees the opportunity to sell back a portion of their accumulated sick leave, calculated at current hourly rates, providing certain established criteria have been met. Employees may elect to convert up to a maximum of 90 days of sick leave which will reduce their amount payable upon separation. During the year ended September 30, 2013, \$61 was paid to employees electing this option.

In addition, all employees have two opportunities per fiscal year to convert up to one half of their annual vacation accrual to cash and will reduce their amount payable upon separation. During the year ended September 30, 2013, \$27 was paid to employees electing this option.

NOTE I – RETIREMENT AND BENEFIT SYSTEM

Plan Description

The City of Fort Pierce Retirement and Benefit System (the System) is a cost-sharing multiple employer Public Employees Retirement System (PERS) defined benefit plan administered by the City of Fort Pierce, covering all municipal employees, including employees of FPUA. The System does not issue a stand-alone financial report; however the financial information is included in

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

the financial statements of the City of Fort Pierce, which can be obtained by submitting a request to 100 North U.S. Highway 1, Fort Pierce, Florida 34950. Except for the Director of Utilities, participation in the System is compulsory for all employees of FPUA. Employees working more than 25 hours per week are required to participate upon employment.

As of September 30, 2013, benefits vest 100% after 5 years of service for members hired prior to October 1, 2012 and benefits vest 100% after 10 years of service for members hired on or after October 1, 2012. Upon retirement, members hired prior to October 1, 2012 are entitled to an annual retirement benefit of, payable for life, total service (years and months) times 3% of final average salary, based upon the highest 5 years out of the last 10 years. The annual retirement benefit for members hired on or after October 1, 2012 shall not exceed 75% of the member's final average salary. Other benefit options are also available on an actuarial equivalent basis. The System also provides death and disability benefits and is governed by state statute and city ordinance. Changes to benefits may be made with the approval of the Fort Pierce City Commission.

Funding Status and Progress

Per the City of Fort Pierce Code of Ordinances, Ch. 13, Art. II, Div. 1, Sec. 13-40, FPUA employees are required to contribute 6.16% of their annual salary to the System. FPUA is required to contribute amounts actuarially determined annually which, together with member contributions, are sufficient to fund the System. The System was 88.5% funded by valuation assets as of September 30, 2013.

For the three years ended 2011, 2012, and 2013 employer contributions to the System, based on the annual covered payroll, all made in accordance with actuarially determined requirements, were \$3,181 (12.36%), \$3,567 (13.80%) and \$4,267 (16.93%) respectively.

NOTE J – RISK MANAGEMENT

Fort Pierce Utilities Authority Employee Health Plan (the Plan)

FPUA has been a self-insurer for health and accident claims of their employees, retirees and their families since January 1, 2000. Payments of claims under the Plan are administered by Blue Cross Blue Shield of Florida (Florida Blue). Employee contributions to the Plan are made biweekly. Any benefit claims, up to the stop loss amounts, are paid by FPUA. Claims in excess of the stop loss amounts are underwritten by an insurer. The individual stop loss amount is \$100 and \$3,514 in the aggregate for calendar year 2013.

As of September 30, 2013, FPUA had estimated incurred unpaid claims of \$673. This amount has been calculated based on the results of an actuarial analysis of the Plan, plus claims paid by Florida Blue prior to year end and paid by FPUA subsequent to year end.

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

Changes in FPUA's claim liability balance during the past two fiscal years were as follows:

| <u>Fiscal Year</u> | <u>Beginning of Fiscal Year Liability</u> | <u>Claims and Changes in Estimates</u> | <u>Claim Payments</u> | <u>Balance at Fiscal Year End</u> |
|--------------------|---|--|-----------------------|-----------------------------------|
| 2012 | \$ 198 | \$ 4,200 | \$ 3,708 | \$ 690 |
| 2013 | 690 | 4,104 | 4,121 | 673 |

Other Risks of Loss

FPUA is exposed to various other risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters for which FPUA carries commercial insurance. Settled claims resulting from these risks have not exceeded the commercial insurance coverage plus FEMA and State reimbursements in any of the past three fiscal years.

NOTE K – POSTEMPLOYMENT HEALTH CARE BENEFITS

Benefit Description - FPUA provides certain health care benefits for retired employees and their families, as a single-employer (see Note J). Substantially all FPUA employees may become eligible for those benefits if they reach normal retirement age while working for FPUA. FPUA establishes the benefits provided to its employees and retirees and may amend the benefits as business conditions and statutory requirements change. In accordance with Florida Statutes, FPUA allows their retirees to participate in the same Plan offered to their active employees.

Funding Policy - Contributions to the Plan are made by the 39 participating retirees. The amount of contributions made by retirees is established annually and is an amount equivalent to the contribution made by active employees plus FPUA's cost, based on a four-tiered benefit structure. During the fiscal year, retirees paid required contributions of \$153 for the year then ended. Claims in excess of the aforementioned rates are funded by FPUA on a pay-as-you-go basis.

Annual OPEB Cost and Net OPEB Obligation - FPUA's annual other postemployment benefit (OPEB) cost (expense) is calculated based on the annual required contribution (ARC) of the employer, an amount actuarially determined in accordance with the parameters of GASB Statement 45. The ARC represents a level of funding that would cover normal costs each year and amortize any unfunded actuarial liabilities (or funding excess) using a level-dollar payment method over a 30-year open period. A separate actuarial valuation report for postemployment benefits is available on FPUA's website at www.fpu.com.

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Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

The following table shows the components of FPUA's annual OPEB cost for the year, the amount actually contributed to the Plan, and changes in FPUA's net OPEB obligation:

| | |
|--|----------------------|
| Annual required contribution | \$ 85 |
| Interest on Net OPEB Obligation | 20 |
| Adjustment on annual required contribution | <u>(28)</u> |
| Annual OPEB Cost | 77 |
| Contributions made | (22) |
| Interest on contributions | <u>-</u> |
| Increase in Net OPEB Obligation | 55 |
| Net OPEB Obligation - beginning of year | <u>509</u> |
| Net OPEB Obligation - end of year | <u><u>\$ 564</u></u> |

FPUA's annual OPEB cost, the percentage of annual OPEB cost contributed to the Plan, the net OPEB obligation for FY 2013, and the two preceding years were as follows:

| <u>Fiscal</u> <u>Year</u> <u>Ended</u> | <u>Annual</u> <u>OPEB Cost</u> | <u>Percentage of</u> <u>Annual OPEB</u> <u>Cost Contributed</u> | <u>Net OPEB</u> <u>(Asset)/</u> <u>Obligation</u> |
|--|-----------------------------------|---|---|
| 2011 | \$364 | 15.1% | \$ 456 |
| 2012 | 75 | 29.3% | 509 |
| 2013 | 77 | 28.6% | 564 |

Funded Status and Funding Progress - The net OPEB obligation was not funded as of October 1, 2012, the most recent actuarial valuation date. As a result, the unfunded actuarial accrued liability (UAAL) for benefits was \$709. The covered payroll (annual payroll of active employees covered) was \$13,977. Therefore, the ratio of the UAAL to the covered payroll was 5.1%.

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the Plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for benefits.

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

Actuarial Methods and Assumptions - Projections of benefits for financial reporting purposes are based on the substantive Plan (the Plan as understood by the employer and the plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

In the October 1, 2012 actuarial valuation, the projected unit credit cost method was used. Under this method, past service liability is determined on an individual basis by applying the ratio of each individual's past service to his total projected service. The actuarial assumptions included a 4.0% investment rate of return, with 2.75% of this amount being attributed to inflation, based on the expected long-term return on FPUA's surplus funds. The cost of covered medical services has been assumed to increase at the rate of 5.0% per year, compounded annually. The UAAL is being amortized using a 30-year open level-dollar amortization method.

NOTE L – CAPITAL LEASES

On January 4, 2013, FPUA terminated their lease with Pitney Bowes prior to the lease end date and committed to a new five-year capital lease for upgraded equipment and software used for billing and mailing. The equipment has been capitalized at its fair market value (FMV) of \$142. As of September 30, 2013 the FMV less accumulated amortization was \$120. The effective interest/maintenance expense for the year ended September 30, 2013 was \$19. Future lease payments for this capital lease are as follows:

| <u>Year ending September 30</u> | <u>Amount</u> |
|---------------------------------|---------------|
| 2014 | \$22 |
| 2015 | 26 |
| 2016 | 31 |
| 2017 | 38 |
| 2018 | <u>10</u> |
| | <u>\$127</u> |

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

NOTE M – TRANSACTIONS WITH THE CITY OF FORT PIERCE

As an enterprise fund of the City of Fort Pierce, transactions occur between FPUA and the City throughout the year in the ordinary course of operations. Below is a summary of significant transactions:

Metered and Non-metered Service Charges - FPUA bills the City on a monthly basis for all non-metered and metered services in the ordinary course of business. Total amounts charged to the City for the year ended September 30, 2013, were \$1,974.

Sanitation and Utility Tax Billings - Charges to City residents for sanitation and utility tax are included on FPUA's monthly billing statements to customers as a service to the City. FPUA acts only as an agent, with all cash collections relating to these charges forwarded monthly to the City. The City is charged \$187 annually by FPUA to bill, collect and remit payment for sanitation services.

Accounts receivable from the City at September 30, 2013, totaled \$375. Disbursements made to the City by FPUA, including payments of utility tax and sanitation charges collected for the year ended September 30, 2013, were \$9,160. In addition, FPUA paid the September 30, 2012 General Fund distribution to the City in the amount of \$5,366. Amounts payable to the City at September 30, 2013, were \$770.

Vehicle Fuel - The City charges FPUA on a monthly basis for fuel used by FPUA vehicles. FPUA's fueling system reciprocates and can fuel City vehicles at their convenience.

NOTE N – CONTRACT COMMITMENTS

FMPA All-Requirements Power Supply Project

As of January 1, 1998, FPUA became a participant in the Florida Municipal Power Agency's (FMPA) All-Requirements Power Supply Project (hereinafter referred to as ARP). FPUA has agreed to purchase its total bulk power requirements, in excess of certain excluded resources, from the ARP through October 1, 2033.

Prior to being involved in the ARP, FPUA had Project Support Contracts and Power Sales Contracts with FMPA regarding Stanton Unit No. 1 (Stanton and Tri-City Projects) and Stanton Unit No. 2, coal-fired plants constructed by the Orlando Utilities Commission. FPUA's resources have been assigned include the contracts with FMPA related to Stanton Unit No. 1 and Stanton Unit No. 2, and to part of the contract with Florida Gas Transmission for the purchase of firm capacity natural gas (See below). The contracts related to the St. Lucie Project, also detailed below, have not been assigned; however, as of January 1, 1998, FPUA's share of transmission costs related to the St. Lucie Project has been assigned to the ARP.

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

FMPA St. Lucie Project

FPUA has entered into agreements with FMPA, of which it is a member, and with certain other members of FMPA, for entitlement to capacity, energy, and transmission services from Florida Power & Light's (FP&L) St. Lucie Unit No. 2 (the Unit) which is located on South Hutchinson Island near Fort Pierce, and through a reliability exchange agreement related to St. Lucie Unit No. 1, located at the same site. Pursuant to a Power Sales Contract and a Project Support Contract, FPUA has acquired an entitlement share of FMPA's allocation of these services. The Power Sales Contract requires payments for each month in which capacity, energy, or transmission services are available from the St. Lucie Project. Payments due each month are based upon an annual budget. Once each year, the excess or deficiency of payments related to actual cost is calculated and applied to the next year's monthly statements from FMPA to FPUA.

The Power Sales Contract will remain in effect until the latest of (i) the date that the principal, premium, if any, and interest on all bonds have been paid, or funds are set aside for the payment thereof; (ii) the date the Unit is decommissioned or finally disposed of as an electric generating unit pursuant to the Participation Agreement, or FMPA's interest in the Unit is terminated pursuant to the Participating Agreement or otherwise disposed of; or (iii) the date all obligations of FMPA under the Participation Agreement have been paid, performed, or provided for.

In any month when electric capacity, energy, or transmission services are not made available to FPUA, payment is made to FMPA under a Project Support Contract in a like amount as would have been due under the Power Sales Contract.

Purchases under these contracts are accounted for as operating expenses by FPUA. Total cost included in operating expenses for FY 2012 and FY 2013 was \$6,986 and \$6,662 respectively. FPUA is committed under the agreements to payments of \$7,608 for the year ending September 30, 2014.

Florida Gas Transmission

FPUA executed an All Requirements Gas Services Agreement with Florida Gas Utility (FGU) on January 15, 2002. As a member of the All Requirements project, FPUA is required to purchase natural gas and the firm capacity needed for its delivery through FGU. The firm capacity of natural gas is the availability of the pipeline required to transport the natural gas to FPUA. This agreement will remain in effect until cancelled by FPUA.

On July 3, 2012, FPUA acquired additional firm capacity from the City of Sunrise, Florida in order to meet the needs of new industrial customers. This agreement will remain in effect until July 2, 2017 or until cancelled by FPUA. In FY 2014, FPUA will be entitled to firm capacity of 514,912 MMBtu, and will be committed to purchase 146,400 MMBtu of natural gas at a cost of \$574. The amounts purchased under these contracts, for FY 2012 and FY 2013 were \$1,325 and \$1,257 respectively.

FORT PIERCE UTILITIES AUTHORITY

Notes to Financial Statements

September 30, 2013

(Dollars in Thousands)

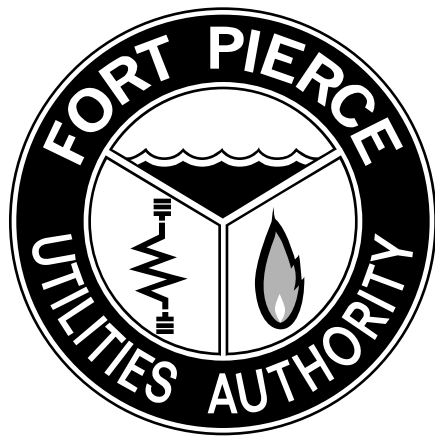
FMPA Treasure Coast Energy Center

FPUA has entered into an agreement with FMPA to manage and operate their facility located in St Lucie County near Fort Pierce. The Treasure Coast Energy Center (TCEC) is a natural gas fueled power generation site. The initial terms of this agreement(s) commenced on July 24, 2007 and expired on September 30, 2011, after which the agreement became a one-year evergreen. The agreement has been extended for the year ended September 30, 2013.

FPUA has been engaged to manage, operate and maintain the TCEC. TCEC employees are on the payroll of FPUA and all costs associated with them are reimbursed bi-weekly by FMPA. TCEC employee costs and revenue for FY 2012 and FY 2013 totaled \$1,642 and \$1,654 respectively.

NOTE O – EXTRAORDINARY ITEMS

FPUA transferred the ownership of the former site of the Henry D. King Power Plant to the FPRA on October 15, 2009. A grant awarded to the FPRA for the cleanup was not sufficient to cover the remaining cost of remediation. Based upon current estimates, the FPRA consultant has estimated the cost over the next two years to be \$3,698. Voluntary Cleanup Tax Credits and grant funds have been estimated to cover costs of \$1,750. Based on these assumptions, FPUA will be responsible for the remaining \$1,948. The amount expected to be paid in FY 2014 is \$1,191. The remainder has been recorded as Other Noncurrent Liabilities in the accompanying financial statements. As this project progresses, estimates and the anticipated cost of completion will be reevaluated.



REQUIRED SUPPLEMENTARY INFORMATION

**FORT PIERCE UTILITIES AUTHORITY
Schedule of Funding Progress
For the Retiree Health Plan
(Dollars in Thousands)**

| Actuarial Valuation Date | Actuarial Value of Assets (a) | Actuarial Accrued Liability (AAL) Entry Age (b) | Unfunded AAL (UAAL) (b-a) | Funded Ratio (a/b) | Covered Payroll (c) | UAAL as a Percentage of Covered Payroll [(b-a) / c] |
|--------------------------------|--|--|------------------------------------|--------------------------|---------------------------|--|
| 9/30/2011 | \$ - | \$ 2,274 | \$ 2,274 | 0.00% | \$ 14,028 | 16.21% |
| 9/30/2012 | - | 709 | 709 | 0.00% | 13,637 | 5.20 |
| 9/30/2013 | - | 709 | 709 | 0.00% | 13,977 | 5.10 |

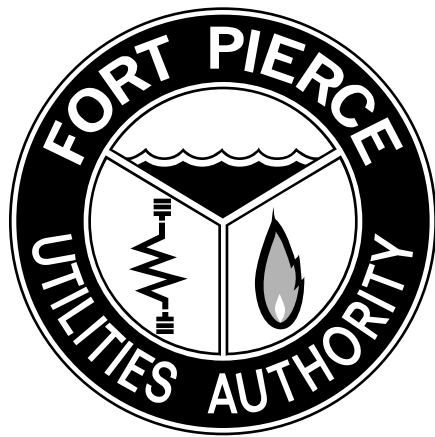


Statistical Section

This part of the Fort Pierce Utilities Authority's (FPUA) Comprehensive Annual Financial Report presents detailed information as a context for understanding what the information in the financial statements, note disclosure, and required supplementary information says about FPUA's overall financial health. Statistical information for the current period, as well as nine years prior, is presented in this section. Historical data that is unavailable for the full nine years prior has been presented to include the earliest periods for which that information is readily accessible.

| Contents | Page |
|--|-------------|
| Financial Trends These schedules contain trend information to help the reader understand how FPUA's financial performance and well being has changed over time. | 56-61 |
| Revenue Capacity These schedules contain information to help the reader assess FPUA's local revenue source. | 65-72 |
| Debt Capacity These schedules present information to help the reader assess FPUA's debt burden and its ability to issue additional debt in the future. | 74-77 |
| Demographic and Economic Information This schedule offers demographic and economic indicators to help the reader understand the environment in which FPUA's financial activities take place. | 80-81 |
| Operating Information These schedules contain service and infrastructure data to help the reader understand how the information in FPUA's financial report relates to the services FPUA provides and the activities it performs. | 84-92 |

Sources: Unless otherwise noted, the information in these schedules was obtained from the Comprehensive Annual Financial Reports for the relevant year.



Financial Trends

FORT PIERCE UTILITIES AUTHORITY
Statement of Net Position - Assets

Last Ten Fiscal Years
(Dollars in Thousands)

| | 2013 | 2012 | 2011 |
|---|--------------------------|--------------------------|--------------------------|
| ASSETS | | | |
| CURRENT ASSETS | | | |
| Equity in Pooled Cash and Investments | \$ 32,533 | \$ 30,179 | \$ 27,588 |
| Accounts Receivable, Net of Allowance for Uncollectible Accounts | 7,137 | 7,438 | 7,683 |
| Unbilled Receivables | 5,380 | 5,260 | 5,352 |
| Due from Other Governments | 447 | 547 | 547 |
| Land Held for Resale | - | - | - |
| Inventories and Other Current Assets | 4,716 | 4,679 | 4,672 |
| Total Unrestricted Current Assets | <u>50,213</u> | <u>48,103</u> | <u>45,842</u> |
| Restricted Cash, Cash Equivalents, and Investments: | | | |
| Restricted Equity in Pooled Cash and Investments | 14,483 | 13,991 | 13,789 |
| Restricted Accrued Interest Receivable | - | - | - |
| Restricted Cash with Fiscal Agent | 7,471 | 7,819 | 7,681 |
| Total Restricted Current Assets | <u>21,954</u> | <u>21,810</u> | <u>21,470</u> |
| Total Current Assets | 72,167 | 69,913 | 67,312 |
| NONCURRENT ASSETS | | | |
| FMPA Working Capital Receivable | 1,919 | 1,919 | 1,919 |
| Deferred Charges | 930 | 1,103 | 1,244 |
| Investment in Public Gas Partners | 658 | 830 | 841 |
| Total Unrestricted Noncurrent Assets | <u>3,507</u> | <u>3,852</u> | <u>4,004</u> |
| Restricted Equity in Pooled Cash and Investments | 6,703 | 6,703 | 6,703 |
| Capital Assets: | | | |
| Utility Plant in Service | 411,561 | 406,146 | 397,577 |
| Construction Work in Progress | 15,750 | 15,485 | 15,958 |
| Less Accumulated Depreciation | <u>(210,951)</u> | <u>(199,294)</u> | <u>(184,610)</u> |
| Total Capital Assets (net of Accumulated Depreciation) | <u>216,360</u> | <u>222,337</u> | <u>228,925</u> |
| Total Noncurrent Assets | <u>226,570</u> | <u>232,892</u> | <u>239,632</u> |
| TOTAL ASSETS | <u><u>\$ 298,737</u></u> | <u><u>\$ 302,805</u></u> | <u><u>\$ 306,944</u></u> |

FORT PIERCE UTILITIES AUTHORITY
Statement of Net Position - Assets

Last Ten Fiscal Years
(Dollars in Thousands)

| 2010 | 2009 | 2008 | 2007 | 2006 | 2005 | 2004 |
|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| \$ 20,395 | \$ 10,499 | \$ 11,185 | \$ 10,509 | \$ 8,586 | \$ 10,840 | \$ 14,287 |
| 8,089 | 9,139 | 9,001 | 8,289 | 8,066 | 7,082 | 6,899 |
| 5,771 | 6,618 | 6,297 | 5,228 | 4,387 | 4,617 | 5,108 |
| 661 | 587 | 1,056 | 4,413 | 2,442 | 8,084 | 4,800 |
| - | - | - | - | - | - | 5,029 |
| 5,119 | 5,932 | 6,440 | 6,214 | 5,907 | 4,241 | 4,134 |
| <u>40,035</u> | <u>32,775</u> | <u>33,979</u> | <u>34,653</u> | <u>29,388</u> | <u>34,864</u> | <u>40,257</u> |
| 13,354 | 13,648 | 13,862 | 12,469 | 10,704 | 4,432 | 4,660 |
| - | - | - | 45 | 24 | - | - |
| 7,666 | 6,858 | 7,388 | 14,896 | 6,669 | 6,520 | 9,890 |
| <u>21,020</u> | <u>20,506</u> | <u>21,250</u> | <u>27,410</u> | <u>17,397</u> | <u>10,952</u> | <u>14,550</u> |
| 61,055 | 53,281 | 55,229 | 62,063 | 46,785 | 45,816 | 54,807 |
| 1,919 | 1,919 | 1,919 | 1,919 | 2,745 | 2,745 | 2,745 |
| 1,277 | 589 | 3,266 | 867 | 919 | 965 | 1,028 |
| 864 | 1,022 | - | - | - | - | - |
| <u>4,060</u> | <u>3,530</u> | <u>5,185</u> | <u>2,786</u> | <u>3,664</u> | <u>3,710</u> | <u>3,773</u> |
| 6,703 | 3,223 | 3,223 | 3,223 | 3,223 | 3,223 | 3,223 |
| 386,310 | 376,645 | 346,425 | 359,395 | 330,603 | 316,439 | 308,298 |
| 22,300 | 24,307 | 37,686 | 33,161 | 27,089 | 14,764 | 9,309 |
| <u>(171,752)</u> | <u>(157,277)</u> | <u>(146,325)</u> | <u>(179,231)</u> | <u>(164,518)</u> | <u>(151,045)</u> | <u>(140,406)</u> |
| <u>236,858</u> | <u>243,675</u> | <u>237,786</u> | <u>213,325</u> | <u>193,174</u> | <u>180,158</u> | <u>177,201</u> |
| <u>247,621</u> | <u>250,428</u> | <u>246,194</u> | <u>219,334</u> | <u>200,061</u> | <u>187,091</u> | <u>184,197</u> |
| <u>\$ 308,676</u> | <u>\$ 303,709</u> | <u>\$ 301,423</u> | <u>\$ 281,397</u> | <u>\$ 246,846</u> | <u>\$ 232,907</u> | <u>\$ 239,004</u> |

FORT PIERCE UTILITIES AUTHORITY
Statement of Net Position - Liabilities and Net Position
Last Ten Fiscal Years
(Dollars in Thousands)

| | 2013 | 2012 | 2011 |
|--|--------------------------|--------------------------|--------------------------|
| LIABILITIES AND NET POSITION | | | |
| CURRENT LIABILITIES | | | |
| Accounts Payable and Accrued Expenses | \$ 9,295 | \$ 7,785 | \$ 8,044 |
| Deferred Revenues | 3,567 | 4,498 | 4,353 |
| Accrued Compensated Absences | - | 82 | 80 |
| Due to City of Fort Pierce | 732 | 699 | 689 |
| Revenue Bonds Payable - Current | 6,653 | 5,955 | 5,675 |
| Accrued Interest Payable Revenue Bonds | 1,356 | 1,864 | 2,006 |
| Customer Deposits | 7,205 | 6,869 | 6,675 |
| Loans Payable | - | - | - |
| Capital Leases Payable | 22 | 39 | 32 |
| Total Current Liabilities | <u>28,830</u> | <u>27,791</u> | <u>27,554</u> |
| NONCURRENT LIABILITIES | | | |
| Revenue Bonds Payable, Net of Current Amounts | | | |
| Payable from Restricted Assets and Unamortized Discounts | 87,492 | 92,682 | 97,661 |
| Other Post Employment Benefits | 564 | 509 | 456 |
| Accrued Compensated Absences | 1,830 | 1,675 | 1,566 |
| Other Noncurrent Liabilities | 863 | 700 | 39 |
| Total Noncurrent Liabilities | <u>90,749</u> | <u>95,566</u> | <u>99,722</u> |
| Total Liabilities | <u>119,579</u> | <u>123,357</u> | <u>127,276</u> |
| NET POSITION | | | |
| Invested in Capital Assets, Net of Related Debt | 121,450 | 123,713 | 125,837 |
| Restricted Capital Improvement Charges | 6,740 | 7,122 | 7,114 |
| Restricted For Debt Service | 4,139 | 3,744 | 3,480 |
| Restricted For Emergencies | 2,000 | 2,000 | 2,000 |
| Restricted For Renewals & Replacements | 564 | 959 | 1,223 |
| Restricted For Capital Projects | - | - | - |
| Unrestricted | 44,265 | 41,910 | 40,014 |
| Total Net Position | <u>179,158</u> | <u>179,448</u> | <u>179,668</u> |
| TOTAL LIABILITIES AND NET POSITION | <u><u>\$ 298,737</u></u> | <u><u>\$ 302,805</u></u> | <u><u>\$ 306,944</u></u> |

FORT PIERCE UTILITIES AUTHORITY
Statement of Net Position - Liabilities and Net Position
Last Ten Fiscal Years
(Dollars in Thousands)

| 2010 | 2009 | 2008 | 2007 | 2006 | 2005 | 2004 |
|------------|------------|------------|------------|------------|------------|------------|
| \$ 7,020 | \$ 8,289 | \$ 10,892 | \$ 11,617 | \$ 8,765 | \$ 6,246 | \$ 9,642 |
| 2,817 | 1,149 | 499 | 1,368 | 5,005 | 1,572 | 1,787 |
| 64 | 1,294 | 1,284 | 1,312 | 1,264 | 1,137 | 1,137 |
| 756 | 718 | 810 | 1,287 | 1,147 | 740 | 850 |
| 5,655 | 5,797 | 5,350 | 5,138 | 4,942 | 4,902 | 8,174 |
| 2,011 | 1,208 | 1,316 | 1,418 | 1,514 | 1,618 | 1,716 |
| 6,339 | 5,866 | 5,324 | 5,112 | 4,635 | 4,432 | 4,660 |
| - | - | - | - | - | 4,849 | 6,257 |
| 27 | - | - | - | - | - | - |
| 24,689 | 24,321 | 25,475 | 27,252 | 27,272 | 25,496 | 34,223 |
| 102,525 | 102,371 | 106,694 | 110,607 | 94,383 | 88,028 | 91,478 |
| 148 | 13 | - | - | - | - | - |
| 1,626 | 671 | 864 | 878 | 742 | 836 | 650 |
| 71 | - | - | - | - | - | - |
| 104,370 | 103,055 | 107,558 | 111,485 | 95,125 | 88,864 | 92,128 |
| 129,059 | 127,376 | 133,033 | 138,737 | 122,397 | 114,360 | 126,351 |
| 129,259 | 136,360 | 127,468 | 107,203 | 95,537 | 89,139 | 83,031 |
| 7,015 | 7,781 | 8,538 | 7,357 | 6,069 | - | - |
| 3,480 | - | - | - | - | - | - |
| 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 |
| 1,223 | 1,223 | 1,223 | 1,223 | 1,223 | 1,223 | 1,223 |
| - | - | 721 | 8,386 | 237 | - | - |
| 36,640 | 28,969 | 28,440 | 16,491 | 19,383 | 26,185 | 26,399 |
| 179,617 | 176,333 | 168,390 | 142,660 | 124,449 | 118,547 | 112,653 |
| \$ 308,676 | \$ 303,709 | \$ 301,423 | \$ 281,397 | \$ 246,846 | \$ 232,907 | \$ 239,004 |

FORT PIERCE UTILITIES AUTHORITY
Statement of Revenues, Expenses and Changes in Net Position
Last Ten Fiscal Years
(Dollars in Thousands)

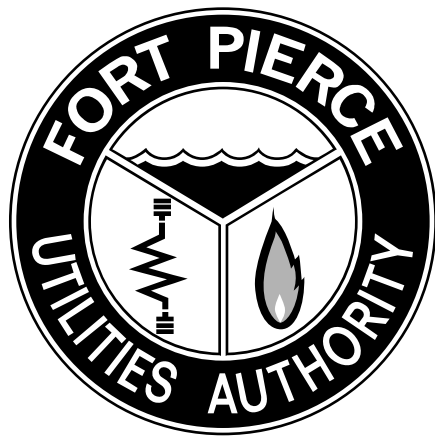
| | FY 2013 | FY 2012 | FY 2011 |
|--|--------------------------|--------------------------|--------------------------|
| OPERATING REVENUES | | | |
| Residential Sales | \$ 38,489 | \$ 38,275 | \$ 40,220 |
| General Service Sales | 55,518 | 55,162 | 55,736 |
| Sales for Resale | 854 | 882 | 465 |
| Other Operating Revenues | <u>2,172</u> | <u>2,171</u> | <u>1,663</u> |
| Total Operating Revenues | 97,033 | 96,490 | 98,084 |
| OPERATING EXPENSES | | | |
| Generation | | | - |
| Purchases for Resale | 44,800 | 44,356 | 45,695 |
| Plant Operations | 5,127 | 5,336 | 5,275 |
| Field Operations | 8,579 | 8,236 | 8,124 |
| General and Administrative | 14,489 | 14,645 | 15,260 |
| Depreciation | <u>15,300</u> | <u>15,253</u> | <u>15,558</u> |
| Total Operating Expenses | <u>88,295</u> | <u>87,826</u> | <u>89,912</u> |
| OPERATING INCOME | 8,738 | 8,664 | 8,172 |
| NONOPERATING REVENUES (EXPENSES) | | | |
| Investment and Other Income | 1,961 | 2,211 | 2,277 |
| Grant Revenue | 12 | 8 | - |
| TCEC Expenses | (1,654) | (1,642) | (1,570) |
| Storm Expenses | - | - | - |
| Interest Expense | (4,612) | (4,723) | (4,984) |
| Property Transfer to FPRA | - | - | - |
| Distribution to City of Fort Pierce | <u>(5,366)</u> | <u>(4,767)</u> | <u>(5,125)</u> |
| Total Nonoperating Revenues (Expenses) | <u>(9,659)</u> | <u>(8,913)</u> | <u>(9,402)</u> |
| INCOME BEFORE CAPITAL CONTRIBUTIONS | (921) | (249) | (1,230) |
| Capital Contributions | <u>1,392</u> | <u>1,229</u> | <u>1,291</u> |
| INCOME BEFORE EXTRAORDINARY ITEMS | 471 | 980 | 61 |
| Extraordinary Income | <u>(761)</u> | <u>(1,200)</u> | <u>(10)</u> |
| CHANGE IN NET POSITION | (290) | (220) | 51 |
| Net Position - Beginning of Year | <u>179,448</u> | <u>179,668</u> | <u>179,617</u> |
| Net Position - End of Year | <u><u>\$ 179,158</u></u> | <u><u>\$ 179,448</u></u> | <u><u>\$ 179,668</u></u> |

FORT PIERCE UTILITIES AUTHORITY
Statement of Revenues, Expenses and Changes in Net Position
Last Ten Fiscal Years
(Dollars in Thousands)

| FY 2010 | FY 2009 | FY 2008 | FY 2007 | FY 2006 | FY 2005 | FY 2004 |
|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| \$ 44,528 | \$ 43,422 | \$ 42,876 | \$ 38,861 | \$ 39,326 | \$ 36,026 | \$ 33,650 |
| 60,431 | 61,908 | 62,219 | 53,624 | 52,613 | 46,838 | 45,620 |
| 747 | 711 | 580 | 631 | 627 | 650 | 658 |
| <u>2,552</u> | <u>2,832</u> | <u>2,602</u> | <u>2,388</u> | <u>2,212</u> | <u>1,604</u> | <u>1,646</u> |
| 108,258 | 108,873 | 108,277 | 95,504 | 94,778 | 85,118 | 81,574 |
| - | 1 | 939 | 1,602 | 1,649 | 1,731 | 1,896 |
| 53,893 | 54,812 | 54,797 | 44,679 | 47,916 | 39,683 | 35,858 |
| 5,724 | 5,657 | 5,756 | 5,030 | 5,069 | 4,361 | 4,164 |
| 8,827 | 9,148 | 8,889 | 8,579 | 7,643 | 7,165 | 6,555 |
| 14,949 | 15,482 | 15,858 | 15,846 | 15,308 | 12,906 | 10,569 |
| <u>15,268</u> | <u>14,201</u> | <u>13,756</u> | <u>15,020</u> | <u>13,892</u> | <u>11,456</u> | <u>11,668</u> |
| <u>98,661</u> | <u>99,301</u> | <u>99,995</u> | <u>90,756</u> | <u>91,477</u> | <u>77,302</u> | <u>70,710</u> |
| 9,597 | 9,572 | 8,282 | 4,748 | 3,301 | 7,816 | 10,864 |
| 2,407 | 2,271 | 2,404 | 3,125 | 1,639 | 1,159 | 741 |
| 230 | 626 | 5,234 | 3,541 | 2,260 | 5,330 | 4,800 |
| (1,492) | (1,491) | (480) | - | - | - | - |
| - | (87) | (96) | (234) | (1,888) | (4,839) | (5,487) |
| (5,000) | (4,021) | (4,212) | (4,968) | (4,288) | (4,636) | (4,571) |
| (511) | - | - | - | - | - | - |
| <u>(4,853)</u> | <u>(5,046)</u> | <u>(4,952)</u> | <u>(4,209)</u> | <u>(4,652)</u> | <u>(4,585)</u> | <u>(4,647)</u> |
| <u>(9,219)</u> | <u>(7,748)</u> | <u>(2,102)</u> | <u>(2,745)</u> | <u>(6,929)</u> | <u>(7,571)</u> | <u>(9,164)</u> |
| 378 | 1,824 | 6,180 | 2,003 | (3,628) | 245 | 1,700 |
| <u>2,982</u> | <u>6,465</u> | <u>19,156</u> | <u>16,208</u> | <u>9,530</u> | <u>5,649</u> | <u>4,415</u> |
| 3,360 | 8,289 | 25,336 | 18,211 | 5,902 | 5,894 | 6,115 |
| <u>(76)</u> | <u>(346)</u> | <u>394</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> |
| 3,284 | 7,943 | 25,730 | 18,211 | 5,902 | 5,894 | 6,115 |
| <u>176,333</u> | <u>168,390</u> | <u>142,660</u> | <u>124,449</u> | <u>118,547</u> | <u>112,653</u> | <u>106,538</u> |
| <u>\$ 179,617</u> | <u>\$ 176,333</u> | <u>\$ 168,390</u> | <u>\$ 142,660</u> | <u>\$ 124,449</u> | <u>\$ 118,547</u> | <u>\$ 112,653</u> |



Revenue Capacity



FORT PIERCE UTILITIES AUTHORITY
Average Number of Services Billed By System
 Last Ten Fiscal Years

| FISCAL YEAR | ELECTRIC | WATER | NATURAL GAS | WASTEWATER |
|------------------------|-----------------|--------------|------------------------|-------------------|
| FY 2013 | 27,630 | 19,248 | 4,179 | 14,635 |
| FY 2012 | 27,765 | 19,276 | 4,189 | 14,450 |
| FY 2011 | 27,752 | 19,162 | 3,904 | 14,372 |
| FY 2010 | 27,859 | 19,048 | 3,982 | 14,460 |
| FY 2009 | 28,413 | 19,394 | 4,039 | 14,842 |
| FY 2008 | 28,584 | 19,278 | 4,171 | 14,737 |
| FY 2007 | 26,883 | 17,711 | 4,304 | 13,428 |
| FY 2006 | 26,662 | 16,952 | 4,431 | 13,099 |
| FY 2005 | 25,594 | 16,638 | 4,503 | 12,917 |
| FY 2004 | 25,872 | 16,497 | 4,597 | 12,938 |

FORT PIERCE UTILITIES AUTHORITY

Operating Revenues By System

Last Ten Fiscal Years

(Dollars in Thousands)

| | FY 2013 | FY 2012 | FY 2011 | FY 2010 |
|---|------------------|------------------|------------------|-------------------|
| ELECTRIC | | | | |
| Residential | | | | |
| Inside the City | \$ 21,325 | \$ 21,460 | \$ 22,936 | \$ 26,327 |
| Outside the City | 5,281 | 5,378 | 5,921 | 6,882 |
| General Service | | | | |
| Inside the City | 31,515 | 32,280 | 32,822 | 36,501 |
| Outside the City | 5,254 | 5,393 | 5,558 | 6,458 |
| Other Retail | 2,012 | 1,895 | 1,663 | 1,657 |
| Other Operating Revenues | 1,115 | 1,051 | 1,148 | 1,192 |
| Total Electric Operating Revenues | 66,502 | 67,457 | 70,048 | 79,017 |
| WATER | | | | |
| Residential | | | | |
| Inside the City | 4,054 | 3,855 | 3,819 | 3,749 |
| Outside the City | 1,367 | 1,277 | 1,263 | 1,225 |
| General Service | | | | |
| Inside the City | 4,813 | 4,807 | 4,956 | 4,697 |
| Outside the City | 2,249 | 2,348 | 2,288 | 2,336 |
| Sales for Resale | 854 | 882 | 466 | 747 |
| Other Operating Revenues | 119 | 124 | (45) | 254 |
| Total Water Operating Revenues | 13,456 | 13,293 | 12,747 | 13,008 |
| GAS | | | | |
| Sales Revenue | | | | |
| Residential | 1,251 | 1,215 | 1,306 | 1,462 |
| Heat Only | 13 | 11 | 21 | 24 |
| General Service | 3,331 | 2,400 | 2,580 | 2,827 |
| Other Operating Revenues | 53 | 75 | 120 | 92 |
| Total Gas Operating Revenues | 4,648 | 3,701 | 4,027 | 4,405 |
| WASTEWATER | | | | |
| Residential | | | | |
| Inside the City | 4,564 | 4,459 | 4,337 | 4,251 |
| Outside the City | 555 | 541 | 551 | 540 |
| General Service | | | | |
| Inside the City | 4,973 | 4,918 | 4,745 | 4,686 |
| Outside the City | 1,449 | 1,198 | 1,188 | 1,337 |
| Other Operating Revenues | 143 | 234 | (245) | 356 |
| Total Wastewater Operating Revenues | 11,684 | 11,350 | 10,576 | 11,170 |
| MANATEE OBSERVATION AND EDUCATION CENTER | | | | |
| Total MOEC Operating Revenues | 348 | 337 | 362 | 359 |
| FPUAnet COMMUNICATIONS | | | | |
| Total FPUAnet Operating Revenues | 395 | 352 | 324 | 299 |
| TOTAL OPERATING REVENUES | \$ 97,033 | \$ 96,490 | \$ 98,084 | \$ 108,258 |

FORT PIERCE UTILITIES AUTHORITY

Operating Revenues By System

Last Ten Fiscal Years

(Dollars in Thousands)

| FY 2009 | FY 2008 | FY 2007 | FY 2006 | FY 2005 | FY 2004 |
|-------------------|-------------------|------------------|------------------|------------------|------------------|
| \$ 25,398 | \$ 25,084 | \$ 22,077 | \$ 22,058 | \$ 19,215 | \$ 17,787 |
| 6,821 | 6,922 | 6,503 | 6,958 | 6,379 | 5,963 |
| 38,192 | 37,642 | 31,253 | 29,992 | 25,695 | 23,628 |
| 6,945 | 7,460 | 6,275 | 5,957 | 5,518 | 6,860 |
| 1,651 | 1,632 | 1,531 | 1,394 | 1,214 | 1,296 |
| 1,189 | 1,171 | 1,091 | 1,093 | 894 | 975 |
| <u>80,196</u> | <u>79,911</u> | <u>68,730</u> | <u>67,452</u> | <u>58,915</u> | <u>56,509</u> |
| 3,729 | 3,580 | 3,453 | 3,427 | 3,404 | 3,297 |
| 1,207 | 1,194 | 1,216 | 1,203 | 1,137 | 1,063 |
| 4,616 | 4,343 | 4,268 | 4,220 | 3,802 | 3,995 |
| 2,033 | 2,062 | 1,981 | 2,144 | 2,068 | 2,309 |
| 711 | 580 | 630 | 627 | 651 | 657 |
| 345 | 299 | 265 | 212 | 135 | 75 |
| <u>12,641</u> | <u>12,058</u> | <u>11,813</u> | <u>11,833</u> | <u>11,197</u> | <u>11,396</u> |
| 1,367 | 1,443 | 1,366 | 1,566 | 1,617 | 1,150 |
| 19 | 16 | 13 | 14 | 17 | 16 |
| 2,566 | 3,213 | 2,767 | 3,204 | 3,256 | 2,524 |
| 82 | 100 | 91 | 102 | 123 | 161 |
| <u>4,034</u> | <u>4,772</u> | <u>4,237</u> | <u>4,886</u> | <u>5,013</u> | <u>3,851</u> |
| 4,233 | 3,980 | 3,607 | 3,490 | 3,680 | 3,774 |
| 577 | 577 | 529 | 507 | 484 | 473 |
| 4,665 | 4,718 | 4,371 | 4,434 | 4,098 | 3,875 |
| 1,311 | 1,230 | 1,276 | 1,372 | 1,281 | 1,217 |
| 657 | 503 | 526 | 341 | 156 | 92 |
| <u>11,443</u> | <u>11,008</u> | <u>10,309</u> | <u>10,144</u> | <u>9,699</u> | <u>9,431</u> |
| 362 | 407 | 347 | 409 | 254 | 343 |
| 197 | 121 | 68 | 54 | 41 | 44 |
| <u>\$ 108,873</u> | <u>\$ 108,277</u> | <u>\$ 95,504</u> | <u>\$ 94,778</u> | <u>\$ 85,119</u> | <u>\$ 81,574</u> |

FORT PIERCE UTILITIES AUTHORITY

Unit Sales By System

Last Ten Fiscal Years

| | FY 2013 | FY 2012 | FY 2011 | FY 2010 |
|--|------------------|------------------|------------------|------------------|
| ELECTRIC SALES (MWh) | | | | |
| General Service | | | | |
| Inside the City | 264,278 | 271,001 | 271,831 | 276,163 |
| Outside the City | 41,000 | 41,285 | 40,909 | 42,713 |
| Total General Service | 305,278 | 312,286 | 312,740 | 318,876 |
| Residential | | | | |
| Inside the City | 164,672 | 165,063 | 174,586 | 182,246 |
| Outside the City | 39,293 | 39,657 | 42,763 | 45,037 |
| Total Residential | 203,965 | 204,720 | 217,349 | 227,283 |
| Total Sales | 509,243 | 517,006 | 530,089 | 546,159 |
| WATER SALES - 1,000 GALLONS | | | | |
| General Service | | | | |
| Inside the City | 863,507 | 925,939 | 943,061 | 943,673 |
| Outside the City | 460,394 | 527,997 | 511,172 | 489,094 |
| Total General Service | 1,323,901 | 1,453,936 | 1,454,233 | 1,432,767 |
| Residential | | | | |
| Inside the City | 636,431 | 652,425 | 671,797 | 664,130 |
| Outside the City | 164,871 | 167,297 | 173,431 | 169,817 |
| Total Residential | 801,302 | 819,722 | 845,228 | 833,947 |
| Sales for Resale | 340,834 | 367,595 | 355,607 | 331,747 |
| Total Sales | 2,466,037 | 2,641,253 | 2,655,068 | 2,598,461 |
| NATURAL GAS SALES (ccf) | | | | |
| General Service | 2,254,172 | 2,142,737 | 2,199,004 | 2,166,792 |
| Residential | 480,393 | 473,387 | 527,745 | 577,206 |
| Heat Only | | | | |
| General Service | 258 | 215 | 6,027 | 6,210 |
| Residential Service | 1,333 | 1,272 | 4,238 | 5,160 |
| Compressed Natural Gas | | - | - | - |
| Contract Natural Gas | 1,259,670 | 63,230 | - | - |
| Total Sales | 3,995,826 | 2,680,841 | 2,737,014 | 2,755,368 |
| WASTEWATER BILLED - 1,000 GALLONS | | | | |
| General Service | | | | |
| Inside the City | 655,667 | 680,739 | 682,993 | 683,051 |
| Outside the City | 185,993 | 149,452 | 156,973 | 186,910 |
| Total General Service | 841,660 | 830,191 | 839,966 | 869,961 |
| Residential | | | | |
| Inside the City | 545,418 | 558,685 | 572,258 | 570,145 |
| Outside the City | 47,361 | 49,426 | 53,014 | 53,949 |
| Total Residential | 592,779 | 608,111 | 625,272 | 624,094 |
| Total Sales | 1,434,439 | 1,438,302 | 1,465,238 | 1,494,055 |

FORT PIERCE UTILITIES AUTHORITY

Unit Sales By System

Last Ten Fiscal Years

| FY 2009 | FY 2008 | FY 2007 | FY 2006 | FY 2005 | FY 2004 |
|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| 274,364 | 296,830 | 288,386 | 294,615 | 289,091 | 275,312 |
| <u>44,028</u> | <u>52,065</u> | <u>51,024</u> | <u>51,692</u> | <u>55,555</u> | <u>73,569</u> |
| 318,392 | 348,895 | 339,410 | 346,307 | 344,646 | 348,881 |
| 167,567 | 177,989 | 182,701 | 193,428 | 191,024 | 182,594 |
| <u>42,652</u> | <u>46,510</u> | <u>51,439</u> | <u>58,757</u> | <u>61,006</u> | <u>58,844</u> |
| <u>210,219</u> | <u>224,499</u> | <u>234,140</u> | <u>252,185</u> | <u>252,030</u> | <u>241,438</u> |
| <u><u>528,611</u></u> | <u><u>573,394</u></u> | <u><u>573,550</u></u> | <u><u>598,492</u></u> | <u><u>596,676</u></u> | <u><u>590,319</u></u> |
| 968,125 | 992,802 | 1,064,195 | 1,147,146 | 1,081,480 | 1,084,480 |
| <u>447,579</u> | <u>486,689</u> | <u>518,064</u> | <u>616,027</u> | <u>649,826</u> | <u>651,349</u> |
| 1,415,704 | 1,479,491 | 1,582,259 | 1,763,173 | 1,731,306 | 1,735,829 |
| 675,421 | 690,728 | 764,785 | 821,552 | 835,532 | 793,334 |
| <u>170,748</u> | <u>174,995</u> | <u>204,754</u> | <u>221,092</u> | <u>211,433</u> | <u>196,669</u> |
| 846,169 | 865,723 | 969,539 | 1,042,644 | 1,046,965 | 990,003 |
| <u>304,839</u> | <u>228,150</u> | <u>256,842</u> | <u>247,998</u> | <u>197,557</u> | <u>234,963</u> |
| <u><u>2,566,712</u></u> | <u><u>2,573,364</u></u> | <u><u>2,808,640</u></u> | <u><u>3,053,815</u></u> | <u><u>2,975,828</u></u> | <u><u>2,960,795</u></u> |
| 2,126,758 | 2,211,306 | 2,174,979 | 2,307,075 | 2,625,092 | 2,515,034 |
| <u>566,475</u> | <u>555,342</u> | <u>575,464</u> | <u>619,787</u> | <u>698,933</u> | <u>727,473</u> |
| 5,672 | 3,740 | 41 | 178 | 81 | 118 |
| <u>3,498</u> | <u>2,527</u> | <u>3,021</u> | <u>4,020</u> | <u>5,310</u> | <u>6,341</u> |
| - | - | 1,357 | 2,211 | 3,380 | - |
| - | - | - | - | - | - |
| <u><u>2,702,403</u></u> | <u><u>2,772,915</u></u> | <u><u>2,754,862</u></u> | <u><u>2,933,271</u></u> | <u><u>3,332,796</u></u> | <u><u>3,248,966</u></u> |
| 718,280 | 787,510 | 817,915 | 906,109 | 827,037 | 775,874 |
| <u>200,068</u> | <u>200,696</u> | <u>235,321</u> | <u>256,254</u> | <u>231,228</u> | <u>213,354</u> |
| 918,348 | 988,206 | 1,053,236 | 1,162,363 | 1,058,265 | 989,228 |
| 579,037 | 596,635 | 645,632 | 689,035 | 735,459 | 737,438 |
| <u>59,280</u> | <u>63,994</u> | <u>68,932</u> | <u>74,685</u> | <u>72,098</u> | <u>66,181</u> |
| <u>638,317</u> | <u>660,629</u> | <u>714,564</u> | <u>763,720</u> | <u>807,557</u> | <u>803,619</u> |
| <u><u>1,556,665</u></u> | <u><u>1,648,835</u></u> | <u><u>1,767,800</u></u> | <u><u>1,926,083</u></u> | <u><u>1,865,822</u></u> | <u><u>1,792,847</u></u> |

FORT PIERCE UTILITIES AUTHORITY
Ten Year Rate Analysis
Residential Rates
(Month of September)

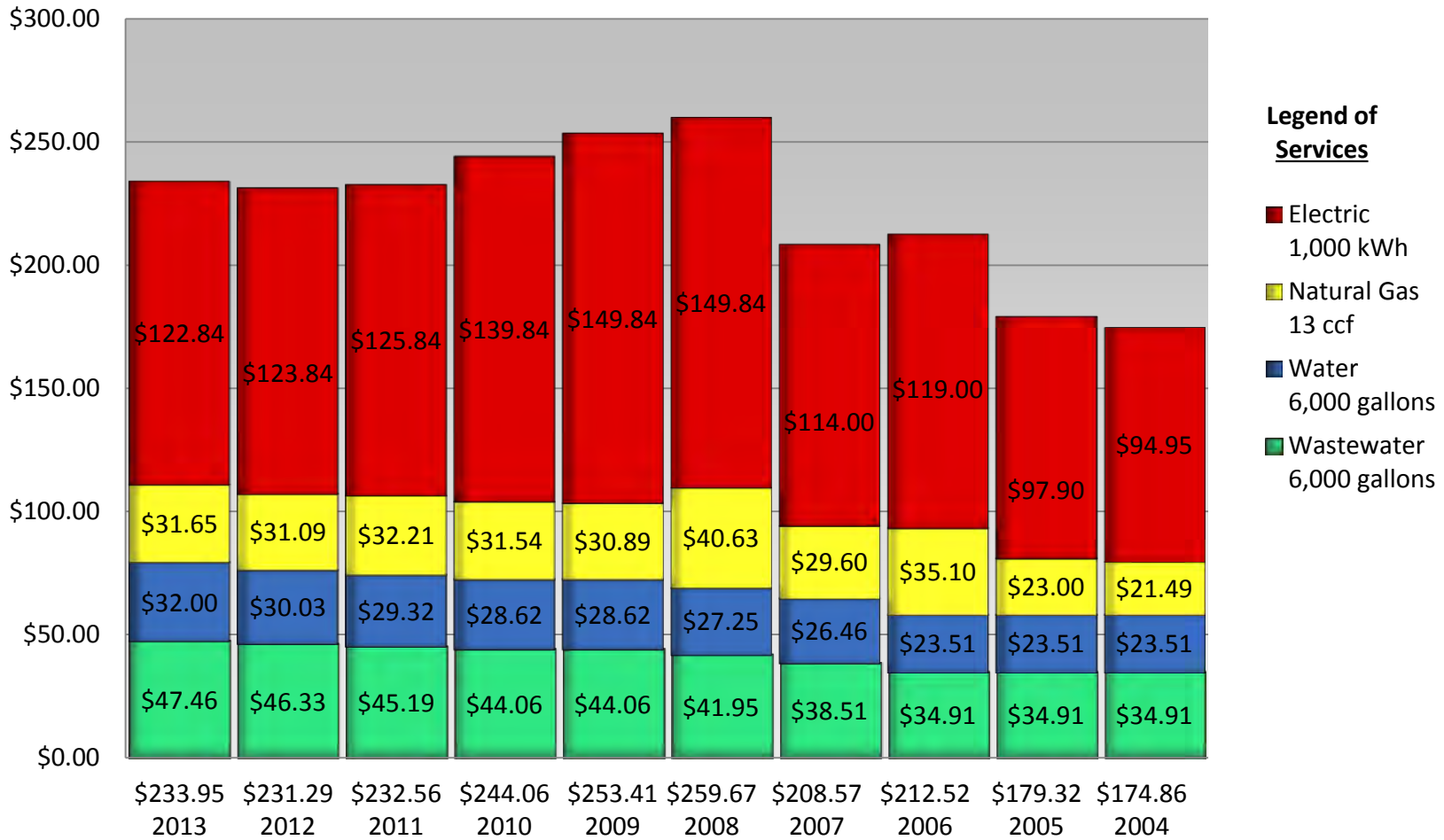
| | 2013 | 2012 | 2011 | 2010 | 2009 | 2008 | 2007 | 2006 | 2005 | 2004 |
|--|----------|----------|----------|----------|----------|----------|-----------|----------|----------|----------|
| ELECTRIC | | | | | | | | | | |
| Customer Charge ⁽¹⁾ | \$ 6.01 | \$ 6.01 | \$ 6.01 | \$ 6.01 | \$ 6.01 | \$ 6.01 | \$ 5.77 | \$ 5.35 | \$ 5.35 | \$ 5.35 |
| Rate Per kWh (up to 750 kWh) | 0.10922 | 0.11322 | 0.08322 | 0.08722 | 0.08722 | 0.08722 | 0.08373 | 0.08277 | 0.08277 | 0.08277 |
| PCA Per kWh ⁽²⁾ | 0.00500 | 0.00200 | 0.03400 | 0.04400 | 0.05400 | 0.05400 | \$0.02200 | 0.03088 | 0.00978 | 0.00683 |
| GAS | | | | | | | | | | |
| Customer Charge ⁽¹⁾ | \$ 12.93 | \$ 12.63 | \$ 12.32 | \$ 12.02 | \$ 12.02 | \$ 11.17 | \$ 10.00 | \$ 10.00 | \$ 10.00 | \$ 5.50 |
| Rate Per CCF (up to 100 CCF) | 1.44 | 1.42 | 1.23 | 1.20 | 1.20 | 1.12 | 1.00 | 1.00 | 1.00 | 0.85 |
| PGA Per CCF ⁽³⁾ | - | - | 0.30000 | 0.30000 | 0.25000 | 1.15000 | 0.50800 | 0.19500 | 0.67600 | 0.37110 |
| WATER | | | | | | | | | | |
| Customer Charge ⁽¹⁾ | \$ 12.62 | \$ 11.85 | \$ 11.56 | \$ 11.28 | \$ 11.28 | \$ 10.75 | \$ 10.44 | \$ 16.40 | \$ 16.40 | \$ 16.40 |
| Rate Per 1,000 Gallons (up to 10,000 gallons) | 3.23 | 3.03 | 2.96 | 2.89 | 2.89 | 2.75 | 2.67 | 2.37 | 2.37 | 2.37 |
| WASTEWATER | | | | | | | | | | |
| Customer Charge ⁽¹⁾ | \$ 15.06 | \$ 14.71 | \$ 14.35 | \$ 14.00 | \$ 14.00 | \$ 13.33 | \$ 12.23 | \$ 11.09 | \$ 11.09 | \$ 11.09 |
| Rate Per 1,000 Gallons | 5.40 | 5.27 | 5.14 | 5.01 | 5.01 | 4.77 | 4.38 | 3.97 | 3.97 | 3.97 |

(1) Customer Charge reflects the Readiness-to-Serve charge.

(2) "PCA" means Power Cost Adjustment.

(3) "PGA" means Purchased Gas Adjustment.

FORT PIERCE UTILITIES AUTHORITY
Average Monthly Residential Bill
 Last Ten Years
 (Month of September)



FORT PIERCE UTILITIES AUTHORITY

System Rate Increases

Last Ten Fiscal Years

| Fiscal Year | System | Increase (Decrease) |
|--------------------|---------------|----------------------------|
| 2013 | Electric | (3.3%) |
| | Water | 6.5% |
| | Wastewater | 2.4% |
| | Natural Gas | 2.4% |
| 2012 | Water | 2.5% |
| | Wastewater | 2.5% |
| | Natural Gas | 2.5% |
| 2011 | Electric | (4.2%) |
| | Water | 2.5% |
| | Wastewater | 2.5% |
| | Natural Gas | 2.5% |
| 2010 | - | - |
| 2009 | Water | 5% |
| | Wastewater | 5% |
| | Natural Gas | 5% |
| 2008 | Electric | 3% |
| | Water | 3% |
| | Wastewater | 9% |
| | Natural Gas | 9% |
| 2007 | Electric | 6% |
| | Water | 12% |
| | Wastewater | 10% |
| 2006 | - | - |
| 2005 | Natural Gas | 9% |
| 2004 | - | - |

Debt Capacity

FORT PIERCE UTILITIES AUTHORITY
Ratios of Outstanding Debt by Type
Last Ten Fiscal Years
(Dollars in Thousands)

| As of September 30 | BUSINESS-TYPE ACTIVITIES | | | | | | | | | Total All Debt Issues | Ratio to Operating Revenue | Operating ¹ Revenue |
|-----------------------|--------------------------|------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-----------------------------|----------------------------------|-----------------------------------|
| | Loans | | Revenue Bonds | | | | | | | | | |
| | FMPA | SLC | 1991 Series | 1994 Series | 1999 Series | 2002 Series | 2003 Series | 2009 Series | 2012 Series | | | |
| 2004 | \$ 11,000 | \$ - | \$ 7,157 | \$ 6,080 | \$ 27,423 | \$ 9,545 | \$ 42,965 | \$ - | \$ - | \$ 104,170 | 128% | \$ 81,574 |
| 2005 | 6,000 | - | 7,748 | 3,295 | 27,697 | 9,545 | 41,855 | - | - | 96,140 | 113% | 85,119 |
| 2006 | 10,879 | - | 8,376 | - | 28,354 | 9,545 | 40,720 | - | - | 97,874 | 103% | 94,778 |
| 2007 | 30,752 | - | 9,042 | - | 25,608 | 9,545 | 39,560 | - | - | 114,507 | 120% | 95,504 |
| 2008 | 30,619 | - | 9,751 | - | 22,740 | 9,545 | 38,385 | - | - | 111,040 | 103% | 108,277 |
| 2009 | 30,479 | - | 10,504 | - | 19,754 | 9,545 | 37,180 | - | - | 107,462 | 99% | 108,873 |
| 2010 | - | 234 | 5,445 | - | 20,644 | 9,545 | 37,165 | 34,800 | - | 107,833 | 100% | 108,258 |
| 2011 | - | 201 | - | - | 36,135 | 9,545 | 37,155 | 34,800 | - | 117,836 | 120% | 98,084 |
| 2012 | - | 189 | - | - | 35,925 | 9,545 | 31,690 | 34,800 | - | 112,149 | 116% | 96,490 |
| 2013 | - | 177 | - | - | 35,705 | 9,545 | 6,015 | 34,800 | 20,896 | 107,138 | 110% | 97,033 |

Note: Details regarding Fort Pierce Utilities Authority's outstanding debt can be found in the notes to the financial statements

¹ See the schedule of Operating Revenues By System on page 64 for more detailed data.

FORT PIERCE UTILITIES AUTHORITY
Principal Payments Payable on All Debt Issues
Through Fiscal Year 2030
(Dollars in Thousands)

| Payments Due for FY | Total for All Debt Issues | St. Lucie County | Revenue Bonds | | | | |
|---------------------|---------------------------|------------------|------------------|-----------------|-----------------|------------------|------------------|
| | | | 1999 Series | 2002 Series | 2003 Series | 2009 Series | 2012 Series |
| 2014 | \$ 6,653 | \$ - | \$ 240 | \$ - | \$ 6,015 | \$ - | \$ 398 |
| 2015 | 6,987 | - | 240 | - | - | - | 6,747 |
| 2016 | 7,086 | - | 255 | - | - | - | 6,831 |
| 2017 | 7,195 | - | 275 | - | - | - | 6,920 |
| 2018 | 5,545 | - | 4,335 | - | - | 1,210 | - |
| 2019 | 5,772 | 177 | 4,340 | - | - | 1,255 | - |
| 2020 | 5,645 | - | 4,335 | - | - | 1,310 | - |
| 2021 | 5,700 | - | 4,340 | - | - | 1,360 | - |
| 2022 | 5,755 | - | 4,335 | - | - | 1,420 | - |
| 2023 | 5,810 | - | 4,340 | - | - | 1,470 | - |
| 2024 | 5,875 | - | 4,335 | - | - | 1,540 | - |
| 2025 | 5,940 | - | 4,335 | - | - | 1,605 | - |
| 2026 | 6,010 | - | - | 3,025 | - | 2,985 | - |
| 2027 | 6,310 | - | - | 3,180 | - | 3,130 | - |
| 2028 | 6,625 | - | - | 3,340 | - | 3,285 | - |
| 2029 | 6,945 | - | - | - | - | 6,945 | - |
| 2030 | 7,285 | - | - | - | - | 7,285 | - |
| | <u>\$ 107,138</u> | <u>\$ 177</u> | <u>\$ 35,705</u> | <u>\$ 9,545</u> | <u>\$ 6,015</u> | <u>\$ 34,800</u> | <u>\$ 20,896</u> |

FORT PIERCE UTILITIES AUTHORITY
Computation of Debt Service Coverage
Last Ten Years
(Dollars in Thousands)

| | FY 2013 | FY 2012 | FY 2011 | FY 2010 | FY 2009 | FY 2008 | FY 2007 | FY 2006 | FY 2005 | FY 2004 |
|--|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| OPERATING INCOME * | \$ 8,746 | \$ 8,700 | \$ 8,175 | \$ 9,614 | \$ 9,616 | \$ 8,276 | \$ 4,757 | \$ 3,307 | \$ 7,922 | \$ 10,866 |
| ADD: | | | | | | | | | | |
| Depreciation Expense | 15,290 | 15,243 | 15,547 | 15,259 | 14,193 | 13,747 | 15,008 | 13,874 | 11,444 | 11,652 |
| Investment & Other Income | 304 | 535 | 703 | 910 | 740 | 1,943 | 3,117 | 1,636 | 1,157 | 740 |
| Extraordinary Income (Expense) | (761) | (1,200) | (9) | (76) | (346) | 394 | - | - | - | - |
| Net OPEB Expense | 54 | 53 | 305 | 134 | 13 | - | - | - | - | - |
| LESS: | | | | | | | | | | |
| Interest on Construction Funds | - | - | - | - | - | 238 | 944 | 92 | 4 | 5 |
| NET AVAILABLE INCOME | <u>\$ 23,633</u> | <u>\$ 23,331</u> | <u>\$ 24,721</u> | <u>\$ 25,841</u> | <u>\$ 24,216</u> | <u>\$ 24,122</u> | <u>\$ 21,938</u> | <u>\$ 18,725</u> | <u>\$ 20,519</u> | <u>\$ 23,253</u> |
| DEBT SERVICE - Bonds & Pooled Loans | | | | | | | | | | |
| Principal | \$ 6,653 | \$ 5,955 | \$ 5,675 | \$ 5,655 | \$ 5,797 | \$ 5,350 | \$ 5,138 | \$ 4,942 | \$ 4,902 | \$ 4,430 |
| Interest | 2,762 | 3,728 | 4,012 | 3,573 | 3,033 | 3,539 | 4,197 | 3,225 | 3,432 | 3,446 |
| NET CASH DEBT SERVICE | <u>\$ 9,415</u> | <u>\$ 9,683</u> | <u>\$ 9,687</u> | <u>\$ 9,228</u> | <u>\$ 8,830</u> | <u>\$ 8,889</u> | <u>\$ 9,335</u> | <u>\$ 8,167</u> | <u>\$ 8,334</u> | <u>\$ 7,876</u> |
| DEBT SERVICE COVERAGE (TIMES) | <u>2.51</u> | <u>2.41</u> | <u>2.55</u> | <u>2.80</u> | <u>2.74</u> | <u>2.71</u> | <u>2.35</u> | <u>2.29</u> | <u>2.46</u> | <u>2.95</u> |

* Excludes the Manatee Observation and Education Center

LEGAL DEBT MARGIN INFORMATION

Neither the City of Fort Pierce Charter or Code, nor the Florida Statutes limit the amount of debt the Fort Pierce Utilities Authority can issue.



Demographic and Economic Information

FORT PIERCE UTILITIES AUTHORITY
Demographic and Economic Information
 Last Ten Years

| Year | City of Fort Pierce Population¹ | St. Lucie County Population¹ | St. Lucie County Labor Force² | Total Unemployment² | Percentage Rate of Unemployment² | St. Lucie County School Enrollment³ | St. Lucie County Per Capita Income⁴ | St. Lucie County Personal Income⁴ |
|-------------|---|--|---|---------------------------------------|--|---|---|---|
| 2013 | 41,729 * | 281,151 * | 128,813 | 12,227 | 9.5 | 41,136 | *** | *** |
| 2012 | 41,646 | 280,355 | 123,588 | 14,519 | 11.7 | 40,844 | \$31,742 | \$9,010,473 |
| 2011 | 41,789 | 279,696 | 124,115 | 16,622 | 13.4 | 40,433 | 30,768 | 8,626,570 |
| 2010 | 41,590 | 277,789 | 123,738 | 17,482 | 14.1 | 40,453 | 29,574 | 8,243,330 |
| 2009 | 44,251 | 272,864 | 123,659 | 17,619 | 14.2 | 41,678 | 29,526 | 7,868,831 |
| 2008 | 44,227 | 276,585 | 124,155 | 10,343 | 8.6 | 39,346 | 29,115 | 7,734,345 |
| 2007 | 41,972 | 271,961 | 120,090 | 8,260 | 6.9 | 37,380 | 28,056 | 7,297,176 |
| 2006 | 41,102 | 259,315 | 115,819 | 5,706 | 4.9 | 38,902 | 27,540 | 6,892,505 |
| 2005 | 38,569 | 240,039 | 108,323 | 3,678 | 3.4 | 36,077 | 26,575 | 6,320,969 |
| 2004 | 39,044 | 226,216 | 96,126 | 12,282 | 12.8 | 34,782 | 25,744 | 5,804,946 |

Sources:

¹ University of Florida, Bureau of Economic & Business Research

² Florida Department of Labor & Employment Security

³ St. Lucie County School Board

⁴ 2004 - 2006 - Florida Legislature, Office of Economic and Demographic Research, and
 2007 - Present - U.S. Department of Commerce, Bureau of Economic Analysis

* Total Estimated

*** Data unavailable

FORT PIERCE UTILITIES AUTHORITY

Principal Employers

2013

| Employer | Business Sector | 2012 * | Rank | % of City | | 2008 | Rank | % of City | |
|------------------------------------|------------------------|---------------|-------------|-------------------|--|---------------|-------------|-------------------|--|
| | | | | Population | | | | Population | |
| St. Lucie County School Board | Public | 4,478 | 1 | 10.75% | | 4,685 | 1 | 10.59% | |
| Indian River State College | Private | 1,884 | 2 | 4.52% | | 2,476 | 2 | 5.60% | |
| St. Lucie County | Public | 1,594 | 3 | 3.83% | | n/a | n/a | n/a | |
| Wal-Mart | Private | 1,382 | 4 | 3.32% | | 1,235 | 3 | 2.79% | |
| Lawnwood Regional Medical Center | Private | 1,350 | 5 | 3.24% | | 1,200 | 4 | 2.71% | |
| Publix Super Markets Inc | Private | 1,327 | 6 | 3.19% | | 1,148 | 5 | 2.60% | |
| St. Lucie County Fire District | Private | 434 | 7 | 1.04% | | n/a | n/a | n/a | |
| City of Fort Pierce | Public | 350 | 8 | 0.84% | | 412 | 8 | 0.93% | |
| New Horizons of the Treasure Coast | Private | 340 | 9 | 0.82% | | 398 | 10 | 0.90% | |
| Tropicana Products | Private | 330 | 10 | 0.79% | | n/a | n/a | n/a | |
| SLC Board of County Commissioners | Public | n/a | n/a | n/a | | 898 | 6 | 2.03% | |
| The Home Depot ** | Private | n/a | n/a | n/a | | 425 | 7 | 0.96% | |
| Riverside National Bank of Florida | Private | n/a | n/a | n/a | | 404 | 9 | 0.91% | |
| TOTALS | | 13,469 | | 32.34% | | 13,281 | | 30.03% | |

Source:

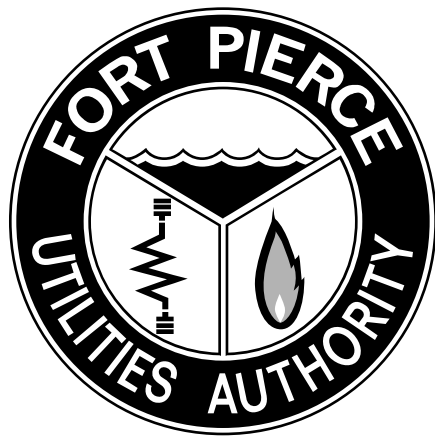
Economic Development Council of St. Lucie County, St. Lucie County Profile 2012

Indian River State College, Institutional Advancement

* Data is as of March 15, 2013

** 2008 data not available, previous year total shown

Historical data not available for years prior to 2008



Operating Information

FORT PIERCE UTILITIES AUTHORITY

Expenses By System

Last Ten Fiscal Years

(Dollars in Thousands)

| | FY 2013 | FY 2012 | FY 2011 | FY 2010 |
|--|-------------------|-------------------|-------------------|-------------------|
| ELECTRIC | | | | |
| Generation and | | | | |
| Purchases for Resale | \$ 42,948 | \$ 42,933 | \$ 43,976 | \$ 51,832 |
| Transmission and Distribution | 4,036 | 3,783 | 3,814 | 4,299 |
| General and Administrative | 6,709 | 6,885 | 7,423 | 7,217 |
| Depreciation | 4,668 | 6,477 | 6,420 | 4,761 |
| Total Electric Operating Expenses | 58,361 | 60,078 | 61,633 | 68,109 |
| WATER | | | | |
| Purchases for Resale | 9 | - | 6 | - |
| Plant Operations | 3,199 | 3,309 | 3,331 | 3,557 |
| Transmission and Distribution | 1,732 | 1,743 | 1,567 | 1,722 |
| General and Administrative | 4,145 | 4,183 | 4,268 | 4,144 |
| Depreciation | 4,044 | 3,726 | 3,825 | 6,105 |
| Total Water Operating Expenses | 13,129 | 12,961 | 12,997 | 15,528 |
| NATURAL GAS | | | | |
| Supply and Distribution | 2,777 | 2,273 | 2,644 | 3,019 |
| General and Administrative | 593 | 570 | 650 | 607 |
| Depreciation | 304 | 507 | 303 | 351 |
| Total Natural Gas Operating Expenses | 3,674 | 3,350 | 3,597 | 3,977 |
| WASTEWATER | | | | |
| Plant Operations | 1,695 | 1,779 | 1,697 | 1,906 |
| Pumping and Collection | 1,849 | 1,834 | 1,776 | 1,825 |
| General and Administrative | 2,758 | 2,755 | 2,685 | 2,747 |
| Depreciation | 6,194 | 4,446 | 4,939 | 3,985 |
| Total Wastewater Operating Expenses | 12,496 | 10,814 | 11,097 | 10,463 |
| MANATEE OBSERVATION AND EDUCATION CENTER | | | | |
| Plant Operations | 232 | 249 | 246 | 261 |
| General and Administrative | 114 | 115 | 109 | 106 |
| Depreciation | 10 | 11 | 11 | 9 |
| Total MOEC Operating Expenses | 356 | 375 | 366 | 376 |
| FPUAnet COMMUNICATIONS | | | | |
| Purchases for Resale | 28 | 25 | 37 | 23 |
| General and Administrative | 172 | 137 | 125 | 129 |
| Depreciation | 79 | 86 | 60 | 56 |
| Total FPUAnet Communications Operating Expenses | 279 | 248 | 222 | 208 |
| TOTAL OPERATING EXPENSES | \$ 88,295 | \$ 87,826 | \$ 89,912 | \$ 98,661 |
| OTHER REVENUE (EXPENSES) * | \$ (4,293) | \$ (4,147) | \$ (4,277) | \$ (4,366) |

* Excludes Distribution to the City of Fort Pierce.

FORT PIERCE UTILITIES AUTHORITY

Expenses By System

Last Ten Fiscal Years

(Dollars in Thousands)

| FY 2009 | FY 2008 | FY 2007 | FY 2006 | FY 2005 | FY 2004 |
|-------------------|------------------|------------------|-------------------|-------------------|-------------------|
| \$ 52,851 | \$ 52,959 | \$ 43,958 | \$ 46,525 | \$ 38,475 | \$ 35,558 |
| 4,445 | 4,423 | 4,259 | 3,469 | 3,192 | 3,192 |
| 7,605 | 8,051 | 8,263 | 8,073 | 6,747 | 5,597 |
| 4,984 | 6,960 | 8,862 | 8,028 | 5,697 | 5,766 |
| <u>69,885</u> | <u>72,393</u> | <u>65,342</u> | <u>66,095</u> | <u>54,111</u> | <u>50,113</u> |
| 2 | 18 | - | - | - | - |
| 3,348 | 3,223 | 2,917 | 2,854 | 2,576 | 2,552 |
| 1,816 | 1,575 | 1,533 | 1,374 | 1,310 | 1,138 |
| 4,159 | 4,116 | 4,014 | 3,733 | 3,202 | 2,528 |
| 4,953 | 3,617 | 3,344 | 3,203 | 3,208 | 3,349 |
| <u>14,278</u> | <u>12,549</u> | <u>11,808</u> | <u>11,164</u> | <u>10,296</u> | <u>9,567</u> |
| 2,925 | 3,800 | 3,234 | 3,894 | 3,792 | 2,886 |
| 564 | 525 | 558 | 591 | 467 | 391 |
| 308 | 288 | 323 | 337 | 376 | 419 |
| <u>3,797</u> | <u>4,613</u> | <u>4,115</u> | <u>4,822</u> | <u>4,635</u> | <u>3,696</u> |
| 2,010 | 2,222 | 1,885 | 1,935 | 1,535 | 1,394 |
| 1,903 | 1,836 | 1,847 | 1,920 | 1,784 | 1,503 |
| 2,941 | 2,994 | 2,883 | 2,782 | 2,386 | 1,936 |
| 3,936 | 2,875 | 2,481 | 2,306 | 2,155 | 2,102 |
| <u>10,790</u> | <u>9,927</u> | <u>9,096</u> | <u>8,943</u> | <u>7,860</u> | <u>6,935</u> |
| 299 | 310 | 228 | 280 | 250 | 218 |
| 99 | 97 | 115 | 116 | 98 | 111 |
| 8 | 9 | 12 | 18 | 12 | 16 |
| <u>406</u> | <u>416</u> | <u>355</u> | <u>414</u> | <u>360</u> | <u>345</u> |
| 18 | 15 | 27 | 27 | 28 | 32 |
| 115 | 74 | 13 | 12 | 12 | 22 |
| 12 | 8 | - | - | - | - |
| <u>145</u> | <u>97</u> | <u>40</u> | <u>39</u> | <u>40</u> | <u>54</u> |
| <u>\$ 99,301</u> | <u>\$ 99,995</u> | <u>\$ 90,756</u> | <u>\$ 91,477</u> | <u>\$ 77,302</u> | <u>\$ 70,710</u> |
| <u>\$ (2,702)</u> | <u>\$ 2,850</u> | <u>\$ 1,464</u> | <u>\$ (2,277)</u> | <u>\$ (2,986)</u> | <u>\$ (4,517)</u> |

FORT PIERCE UTILITIES AUTHORITY

Performance Indicators

Last Ten Fiscal Years

| | FY 2013 | FY 2012 | FY 2011 | FY 2010 |
|--|-------------|-------------|-------------|-------------|
| SAFETY | | | | |
| * Frequency Rate (calendar year) | 4.10 | 4.90 | 3.60 | 1.20 |
| * Severity Rate (calendar year) | 48.00 | 24.00 | 122.00 | 61.00 |
| Workers' Compensation Experience Modification Factor | 0.92 | 1.25 | 1.11 | 1.28 |
| FINANCIAL | | | | |
| Debt Service Ratio (12 months ended) | 2.51 | 2.41 | 2.55 | 2.80 |
| Operating Ratio | 0.91 | 0.91 | 0.92 | 0.91 |
| COMPONENT COSTS | | | | |
| Water Treatment Plant | | | | |
| \$ / 1,000 gallons raw water | \$1.90 | \$1.80 | \$1.79 | \$1.92 |
| Water Reclamation Facility | | | | |
| \$ / 1,000 gallons effluent | \$1.93 | \$2.07 | \$2.45 | \$2.56 |
| Electric T&D | | | | |
| \$ / mile of T & D lines | \$20,516.14 | \$23,742.33 | \$24,841.57 | \$20,585.55 |
| \$ / number of services | \$27.41 | \$31.57 | \$30.95 | \$25.99 |
| Water Distribution | | | | |
| \$ / 1,000 gallons billed | \$1.82 | \$1.59 | \$1.54 | \$2.46 |
| \$ / number of services | \$19.44 | \$18.14 | \$17.79 | \$27.92 |
| Wastewater Collection | | | | |
| \$ / 1,000 gallons billed | \$3.87 | \$2.65 | \$2.86 | \$2.11 |
| \$ / number of services | \$31.61 | \$21.98 | \$24.34 | \$18.20 |
| Natural Gas Distribution | | | | |
| \$ / 1,000 ccf billed | \$0.40 | \$0.62 | \$0.57 | \$0.57 |
| \$ / number of services | \$31.89 | \$32.90 | \$33.36 | \$32.89 |
| Lift Stations | | | | |
| \$ / 1,000 gallons billed | \$0.80 | \$0.74 | \$0.76 | \$0.71 |
| \$ / number of services | \$6.53 | \$6.17 | \$5.97 | \$6.14 |
| Industrial Pre-Treatment | | | | |
| \$ / Customers | \$698.46 | \$793.71 | \$1,246.28 | \$793.86 |
| FPUAnet Communications | | | | |
| \$ / Customers | \$306.83 | \$275.98 | \$325.26 | \$320.54 |
| Administration | | | | |
| \$ / number of services | \$15.74 | \$16.01 | \$17.15 | \$18.17 |
| HUMAN RESOURCES | | | | |
| Overtime Ratio | 0.042 | 0.040 | 0.036 | 0.040 |
| Sick Leave Ratio | 0.034 | 0.034 | 0.039 | 0.042 |
| Overtime vs. Annual Overtime Budget | 107.47% | 100.48% | 89.65% | 80.00% |
| Training Hours vs. Regular Hours Worked | 2.48% | 1.52% | 1.62% | 2.32% |
| Training Dollars vs. Budgeted Salary Dollars | 1.80% | 1.23% | 1.31% | 1.16% |
| *Annual Turnover Rate | 13.25% | 6.77% | 9.09% | 6.34% |
| CUSTOMER SERVICE | | | | |
| Number of connections | 16,001 | 16,360 | 16,077 | 17,441 |
| Number of disconnections | 15,206 | 15,419 | 15,038 | 16,300 |
| Number of accounts to collection agency | 1,584 | 1,535 | 1,888 | 2,240 |
| Amount of accounts written off | | | | |
| Electric | \$182,006 | \$253,362 | \$197,638 | \$390,702 |
| Water | \$32,638 | \$45,434 | \$35,433 | \$70,061 |
| Natural Gas | \$2,374 | \$3,308 | \$2,582 | \$5,104 |
| Wastewater | \$29,294 | \$40,780 | \$31,805 | \$62,886 |
| Customer Charges | \$11,181 | \$15,563 | \$12,136 | \$23,993 |
| Communications | \$231 | \$321 | \$249 | \$495 |
| Number of service orders | | | | |
| Started | 44,205 | 50,182 | 56,278 | 59,489 |
| Completed | 44,224 | 44,991 | 48,149 | 56,799 |

* Frequency Rate, Severity Rate and Annual Turnover Rate (2004-2009) indicators are presented on a calendar year basis.

FORT PIERCE UTILITIES AUTHORITY

Performance Indicators

Last Ten Fiscal Years

| FY 2009 | FY 2008 | FY 2007 | FY 2006 | FY 2005 | FY 2004 |
|----------------|----------------|----------------|----------------|----------------|----------------|
| 1.50 | 3.70 | 4.10 | 4.40 | 3.60 | 7.20 |
| 21.00 | 126.00 | 18.00 | 26.00 | 27.00 | 6.00 |
| 0.95 | 1.00 | 1.00 | 0.89 | 0.92 | 0.83 |
| 2.74 | 2.71 | 2.35 | 2.29 | 2.46 | 2.95 |
| 0.91 | 0.92 | 0.95 | 0.97 | 0.91 | 0.87 |
| \$1.79 | \$1.85 | \$1.40 | \$1.40 | \$1.32 | \$1.27 |
| \$2.40 | \$1.99 | \$1.94 | \$1.71 | \$1.34 | \$1.72 |
| \$21,579.20 | \$27,765.81 | \$24,430.86 | \$31,929.00 | \$29,473.00 | \$28,912.00 |
| \$26.71 | \$28.17 | \$26.35 | \$22.91 | \$21.91 | \$21.33 |
| \$2.20 | \$1.67 | \$1.44 | \$1.17 | \$1.16 | \$1.12 |
| \$24.24 | \$18.58 | \$19.08 | \$17.60 | \$17.23 | \$16.75 |
| \$1.78 | \$1.32 | \$1.13 | \$0.96 | \$0.85 | \$0.84 |
| \$15.55 | \$12.29 | \$12.53 | \$11.73 | \$10.23 | \$9.70 |
| \$0.58 | \$0.64 | \$0.92 | \$1.54 | \$1.32 | \$1.08 |
| \$32.21 | \$35.51 | \$48.96 | \$84.86 | \$81.38 | \$63.44 |
| \$0.69 | \$0.62 | \$0.52 | \$0.51 | \$0.45 | \$0.45 |
| \$6.02 | \$5.80 | \$5.74 | \$6.30 | \$5.38 | \$5.16 |
| \$614.11 | \$779.74 | \$840.66 | \$1,107.30 | \$1,902.05 | \$767.92 |
| \$185.64 | \$238.43 | \$175.00 | N/A | N/A | N/A |
| \$16.31 | \$16.46 | \$17.09 | \$18.13 | \$23.75 | \$17.16 |
| 0.039 | 0.050 | 0.040 | 0.061 | 0.073 | 0.080 |
| 0.034 | 0.036 | 0.035 | 0.033 | 0.045 | 0.044 |
| 84.32% | 101.53% | 99.50% | 172.29% | 111.88% | 122.05% |
| 2.78% | 3.14% | 5.02% | 3.47% | 2.10% | 1.60% |
| 1.59% | 1.45% | 1.27% | 3.03% | 2.08% | 1.90% |
| 8.66% | 4.76% | 10.10% | 15.61% | 13.81% | 11.65% |
| 17,956 | 14,820 | 9,823 | 12,312 | 10,496 | 8,760 |
| 16,137 | 11,734 | 4,744 | 1,288 | 7,346 | 7,239 |
| 2,233 | 1,880 | 2,876 | 1,453 | 2,236 | 1,191 |
| \$360,046 | \$340,472 | \$226,878 | \$391,046 | \$255,275 | \$118,769 |
| \$64,559 | \$61,069 | \$40,744 | \$46,835 | \$59,498 | \$21,402 |
| \$4,697 | \$4,435 | \$2,944 | (\$1,954) | \$10,362 | \$7,184 |
| \$57,951 | \$54,816 | \$36,587 | \$33,327 | \$46,817 | \$24,967 |
| \$16,354 | \$17,292 | \$15,434 | \$12,674 | \$11,964 | \$10,720 |
| \$454 | \$428 | \$318 | \$757 | \$299 | \$203 |
| 64,640 | 61,974 | 55,217 | 49,775 | 45,574 | 34,186 |
| 65,166 | 61,907 | 55,706 | 50,413 | 45,133 | 34,063 |

FORT PIERCE UTILITIES AUTHORITY
Electric Energy Sources, Water and Wastewater Statistics
 Last Ten Fiscal Years

| | FY 2013 | FY 2012 | FY 2011 | FY 2010 |
|---|-------------------|-------------------|-------------------|------------------|
| ELECTRIC STATISTICS | | | | |
| Sources of Energy (MWh) | | | | |
| Total Energy Purchased | 532,038 | 537,115 | 552,427 | 568,637 |
| Gross Peak Demand (MW) | 104 | 103 | 115 | 124 |
| WATER STATISTICS | | | | |
| Water Production - 1,000 Gallons | | | | |
| Raw Water Treated | 2,889,439 | 3,088,102 | 3,101,048 | 3,023,434 |
| Water from Distribution System | 8,657 | 17,644 | 16,648 | 16,118 |
| Less Deep Well Concentrate | (144,156) | (174,731) | (165,498) | (137,432) |
| Water Used in Plant | (19,710) | (19,764) | (19,710) | (19,966) |
| Water from or (left-in) Storage | 61 | 4,218 | 6,968 | 1,100 |
| FINISHED WATER FROM PLANT | 2,734,291 | 2,915,469 | 2,939,456 | 2,883,254 |
| Purchased for Resale (Interconnects) | 3,943 | - | - | - |
| Water Pumped to City | 2,738,234 | 5,830,938 | 5,878,912 | 5,766,508 |
| Water Used in System | 170,788 | 193,707 | 171,870 | 175,255 |
| Water Sales | 2,466,037 | 2,641,253 | 2,655,068 | 2,598,461 |
| Losses and Unaccounted for Gallonage | 101,405 | 80,509 | 112,518 | 109,538 |
| Unaccounted For | 0.0370 | 0.0138 | 0.0191 | 0.0190 |
| Average Daily Consumption | 7,496 | 7,990 | 8,053 | 7,926 |
| Highest Daily Consumption Date | 8,950 | 10,524 4/18/12 | 9,741 5/30/11 | 9,511 7/1/10 |
| Peak Maximum Demand (MG) Date | 13,932 4/13/13 | 17,437 7/22/12 | 17,765 9/14/11 | 17,150 5/7/10 |
| Duration | 60 minutes | 60 minutes | 60 minutes | 60 minutes |
| Rainfall (inches) | 51.91 | 67.10 | 30.24 | 40.54 |
| WATER RECLAMATION FACILITY | | | | |
| (In Millions of Gallons per Day) | | | | |
| Average Daily Flow | 4.72 | 4.86 | 3.93 | 4.05 |
| Peak Flow | 8.14 | 13.03 | 4.75 | 5.05 |

FORT PIERCE UTILITIES AUTHORITY
Electric Energy Sources, Water and Wastewater Statistics
Last Ten Fiscal Years

| FY 2009 | FY 2008 | FY 2007 | FY 2006 | FY 2005 | FY 2004 |
|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| 553,487 | 593,686 | 608,967 | 616,408 | 624,083 | 626,840 |
| 115 | 113 | 124 | 124 | 131 | 124 |
| 2,993,150 | 3,013,208 | 3,455,908 | 3,566,341 | 3,145,417 | 3,278,990 |
| N/A | N/A | N/A | N/A | N/A | N/A |
| (137,645) | (142,365) | (186,608) | (182,829) | N/A | N/A |
| (8,519) | (17,873) | (36,559) | 17,988 | (6,884) | 5,788 |
| N/A | N/A | N/A | N/A | N/A | N/A |
| <u>2,846,986</u> | <u>2,852,970</u> | <u>3,232,741</u> | <u>3,401,500</u> | <u>3,138,533</u> | <u>3,284,778</u> |
| - | - | - | - | - | - |
| <u><u>5,693,972</u></u> | <u><u>5,705,940</u></u> | <u><u>6,465,482</u></u> | <u><u>6,803,000</u></u> | <u><u>6,277,066</u></u> | <u><u>6,569,556</u></u> |
| 170,369 | 160,987 | 132,325 | 131,791 | 138,372 | 157,049 |
| 2,566,712 | 2,573,364 | 2,808,640 | 3,053,815 | 2,960,794 | 2,960,795 |
| 109,905 | 117,619 | 291,776 | 215,894 | 27,333 | 166,934 |
| 0.0193 | 0.0206 | 0.0451 | 0.0635 | 0.0870 | 0.0507 |
| 7,827 | 7,798 | 8,927 | 9,357 | 8,598 | 8,951 |
| 10,403 | 10,336 | 11,054 | 11,885 | 11,105 | 11,504 |
| 5/8/09 | 5/18/08 | 10/23/06 | 8/11/06 | 8/18/05 | 5/26/04 |
| 13,304 | 13,508 | 17,271 | 16,702 | 15,273 | 14,200 |
| 5/7/09 | 12/2/07 | 2/1/07 | 8/11/06 | 8/22/05 | 3/12/04 |
| 60 minutes | 60 minutes | 60 minutes | 60 minutes | 60 minutes | 45 minutes |
| 39.89 | 71.72 | 42.47 | 46.47 | 53.85 | 67.50 |
| 4.95 | 6.14 | 5.24 | 5.91 | 6.51 | 5.90 |
| 9.57 | 20.23 | 7.70 | 11.19 | 15.41 | 18.29 |

FORT PIERCE UTILITIES AUTHORITY
Authorized Full Time Positions By Department
Last Ten Fiscal Years

| Department | 9/30/2013 | 9/30/2012 | 9/30/2011 |
|---|-------------------|-------------------|-------------------|
| 01 Manatee Observation & Education Center | 2 P | 2 P | 2 P |
| 02 Treasure Coast Energy Center | 14 D | 15 D | 15 D |
| 10 Board | 5 | 5 | 5 |
| 11 Director of Utilities | 2 | 2 | 2 |
| 12 Attorney | 1 | 1 | 1 |
| 15 Human Resources | 4 | 4 | 4 |
| 18 Risk Management | 5 D | 5 D | 5 |
| 21 Finance | 11 D | 11 D | 10 D |
| 22 Materials Management | 3 P | 3 P | 5 P |
| 31 Shared Services | 1 | 1 | 1 H |
| 32 Information Technology Services | 16 | 16 | 16 |
| 35 Facilities | 5 | 5 | 5 |
| 41 Communications | 1 | 1 | 1 |
| 43 Customer Service | 26 D,P | 26 D,P | 28 |
| 51 Director of Electric & Gas Systems | 1 D | 1 D | 1 D |
| 52 Power Generation | - | - | - |
| 54 Electric Transmission and Distribution | 49 D | 51 D | 52 D,H |
| 56 Electric & Gas Engineering | 10 D | 9 | 9 H |
| 61 Director of Water/Wastewater Systems | 1 D | 1 D | 1 |
| 62 Water Resources | 23 D | 23 D | 23 D,H |
| 64 Water Distribution | 28 D | 25 | 25 H |
| 66 Water/Wastewater Engineering | 11 D | 11 D | 11 D,H |
| 74 Gas Operations | 16 D | 15 D | 14 D,H |
| 82 Water Reclamation | 14 D | 13 D | 13 D,H |
| 84 Wastewater Collection | 21 D | 21 D | 21 D,H |
| 93 FPUAnet Communications | 2 | 2 | 1 |
| TOTAL | <u><u>272</u></u> | <u><u>269</u></u> | <u><u>271</u></u> |

C - Includes contract employees

D - Includes D.R.O.P. Participant employees

H - Excludes positions held vacant

P - Excludes part-time employees

Information regarding P and C unavailable prior to FY 2005

FORT PIERCE UTILITIES AUTHORITY
Authorized Full Time Positions By Department
Last Ten Fiscal Years

| <u>9/30/2010</u> | <u>9/30/2009</u> | <u>9/30/2008</u> | <u>9/30/2007</u> | <u>9/30/2006</u> | <u>9/30/2005</u> | <u>9/30/2004</u> |
|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| 2 P | 2 P | 2 P | 2 P | 2 P | 3 P | 2 |
| 15 D | 15 D | 15 D | - | - | - | - |
| 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| 2 | 2 | 2 C | 2 C | 1 | 2 | 2 |
| 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 4 | 4 | 4 | 4 | 4 | 4 | 5 |
| 5 | 5 | 5 | 5 | 4 | 3 | 3 |
| 12 D | 12 D | 13 | 12 | 11 | 11 | 12 |
| 5 P | 5 P | 5 P | 5 P | 5 | 5 P | 5 |
| 1 H | 1 H | 2 | 7 | 7 | 7 | 7 |
| 16 | 16 | 14 P | 13 P | 12 P | 12 P | 13 |
| 5 | 5 | 5 | - | - | - | - |
| 1 | 1 | 1 | 3 | 3 | 3 | 3 |
| 29 | 29 | 29 | 29 | 29 P | 26 P | 21 |
| 2 D | 2 D | 3 | 3 | 3 | 2 | 2 |
| - | - | 1 D | 20 | 21 | 23 | 26 |
| 53 D,H | 55 C,D,H | 58 C,D | 56 C | 50 P | 49 P | 46 |
| 11 H | 11 H,P | 13 P | 14 P | 14 P | 13 P | 11 |
| 1 | 1 | 2 | 2 | 2 | 2 | 2 |
| 24 H | 24 C,H | 24 C | 24 C | 24 | 23 | 23 |
| 28 H | 32 | 32 | 30 | 29 | 28 | 26 |
| 11 D,H | 13 H | 14 | 14 | 13 | 12 | 9 |
| 14 H | 16 | 16 | 15 | 15 | 15 | 15 |
| 14 D | 12 D,H | 25 | 24 | 24 | 23 | 23 |
| 22 D | 22 D,H | 13 | 13 | 13 | 10 | 10 |
| 1 | 1 | 1 | - | - | - | - |
| <u>284</u> | <u>292</u> | <u>305</u> | <u>303</u> | <u>292</u> | <u>282</u> | <u>272</u> |

FORT PIERCE UTILITIES AUTHORITY
Ten Largest Customers
Fiscal Year 2013

| Ranking | Customer Name | Utility Service | Unit Sales | Revenues | Total |
|---------------------------|--|-------------------|------------|--------------|-------------|
| 1 | St. Lucie County Board of County Commissioners | Electric (kWh) | 13,865,889 | 1,725,955 | \$3,884,658 |
| | | Water (kgal.) | 406,584 | 1,202,774 | |
| | | Wastewater | 130,021 | 937,106 | |
| | | Natural Gas (ccf) | 12,744 | 18,823 | |
| 2 | St. Lucie County School Board | Electric (kWh) | 20,353,184 | 2,722,031 | \$3,235,061 |
| | | Water (kgal.) | 29,675 | 186,521 | |
| | | Wastewater | 29,043 | 243,591 | |
| | | Natural Gas (ccf) | 51,445 | 82,918 | |
| 3 | Indian River State College | Electric (kWh) | 21,198,284 | \$2,498,921 | \$2,928,524 |
| | | Water (kgal.) | 27,030 | 141,866 | |
| | | Wastewater | 22,065 | 164,020 | |
| | | Natural Gas (ccf) | 125,213 | 123,717 | |
| 4 | Lawnwood Regional Medical Center | Electric (kWh) | 16,451,875 | \$1,716,814 | \$2,154,002 |
| | | Water (kgal.) | 20,659 | 84,989 | |
| | | Wastewater | 10,968 | 72,840 | |
| | | Natural Gas (ccf) | 314,309 | 279,359 | |
| 5 | City of Fort Pierce | Electric (kWh) | 11,199,171 | \$1,498,424 | \$1,975,219 |
| | | Water (kgal.) | 49,876 | 390,127 | |
| | | Wastewater | 9,244 | 84,853 | |
| | | Natural Gas (ccf) | 689 | 1,815 | |
| 6 | Fort Pierce Utilities Authority | Electric (kWh) | 16,556,321 | \$1,872,898 | \$1,941,485 |
| | | Water (kgal.) | 1,484 | 28,134 | |
| | | Wastewater | 1,124 | 27,715 | |
| | | Natural Gas (ccf) | 6,756 | 12,737 | |
| 7 | Florida Atlantic University | Electric (kWh) | 11,254,555 | \$1,299,827 | \$1,299,827 |
| | | Water (kgal.) | - | - | |
| | | Wastewater | - | - | |
| | | Natural Gas (ccf) | - | - | |
| 8 | Fort Pierce Housing Authority | Electric (kWh) | 4,980,454 | \$628,993 | \$1,215,065 |
| | | Water (kgal.) | 25,325 | 168,641 | |
| | | Wastewater | 25,483 | 226,380 | |
| | | Natural Gas (ccf) | 86,688 | 191,052 | |
| 9 | Orchid Island Juice Company | Electric (kWh) | 4,280,621 | \$522,451 | \$678,900 |
| | | Water (kgal.) | 8,944 | 31,617 | |
| | | Wastewater | 8,870 | 50,205 | |
| | | Natural Gas (ccf) | 85,777 | 74,627 | |
| 10 | Walmart | Electric (kWh) | 5,279,219 | \$553,947 | \$663,134 |
| | | Water (kgal.) | 7,993 | 35,624 | |
| | | Wastewater | 7,993 | 53,208 | |
| | | Natural Gas (ccf) | 16,765 | 20,355 | |
| TOTAL REVENUES BY UTILITY | | Electric | | \$15,040,262 | |
| | | Water | | 2,270,293 | |
| | | Wastewater | | 1,859,918 | |
| | | Natural Gas | | 805,402 | |
| TOTAL COMBINED REVENUES | | | | \$19,975,875 | |

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING
STANDARDS*

To the Board Members
Fort Pierce Utilities Authority
Fort Pierce, Florida

We have audited the financial statements of the Fort Pierce Utilities Authority, as of and for the year ended September 30, 2013, which collectively comprise of the Fort Pierce Utilities Authority's basic financial statements and have issued our report thereon dated February 28, 2014. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Fort Pierce Utilities Authority's internal control over financial reporting to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Fort Pierce Utilities Authority's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Fort Pierce Utilities Authority's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Fort Pierce Utilities Authority's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

DiBartolomeo, McBee, Hartley & Barnes

DiBartolomeo, McBee, Hartley & Barnes, P.A.
Fort Pierce, Florida
February 28, 2014

City Commission Regular Meeting

Agenda Item # 12. c.

Meeting Date: 04/07/2014

Re: In-House Street Paving Program

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Discussion requested by Commissioner Sessions regarding the cost effectiveness of an in-house street paving program.

SUMMARY:

Commissioner Sessions would like to explore the cost effectiveness of an in-house street paving program by City employees. He would like to see if this type of program would save the City money and expedite street paving within the City of Fort Pierce rather than contracting such work out.

RECOMMENDATION:

N/A

ALTERNATIVES:

N/A

RESPONSIBLE STAFF:

N/A

COORDINATED WITH:

Linda W. Cox, City Clerk
Nick Mimms, Deputy City Manager

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact at this time.

City Commission Regular Meeting

Agenda Item # 12. d.

Meeting Date: 04/07/2014

Re: Civil Service Appeals Board Commission Appointments

Submitted For: Tony Barnes, Director of Administrative Services, Purchasing

SUBJECT:

Submittal of Applications for Appointment/Re-Appointment to the Civil Service Appeals Board

SUMMARY:

We have six (6) applications from Citizens who have expressed an interest in serving as a Commission Appointed Board Member

RECOMMENDATION:

To appoint one (1) Regular Board Member and one (1) Alternate Board member to the Civil Service Appeals Board.

ALTERNATIVES:

Extend the deadline for accepting applications

RESPONSIBLE STAFF:

Barbara G. Moore, Human Resources Technician

COORDINATED WITH:

Tony Barnes, Director of Administrative Services

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

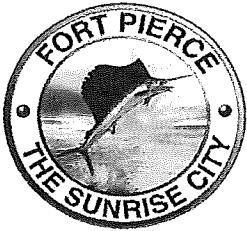
Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Applications



CITY OF FORT PIERCE

100 North U.S. Highway 1
Fort Pierce, FL 34954

APPLICATION FOR APPOINTMENT / RE-APPOINTMENT

SERVICE APPEALS BOARD

Name: Wesley Taylor Telephone: 464-4391 / 519-1291
Address: 396 Torpey Road Ft Pierce FL 34946
Email: westkar49@comcast.net Zip Code: 34946

Occupation: Retired Citizen of the U.S.A. [X] Yes [] No

Do you own a business that operates within the City of Fort Pierce? [] Yes [X] No

If yes, list the address and nature of said business:

Do you now or in the future plan to do business with the City of Fort Pierce? No If yes, in what capacity?

Are you employed by a business that is located within the City of Fort Pierce? No
If yes, state the business and location:

Do you have special training or knowledge in the area of?

Architecture: Engineering: Real Estate Brokering:
Contracting: Land Development: Other area:

Describe your education, background, training and knowledge in the above areas: Police officer for 31 years (Retired) Currently owner of Village Marina in St Johns Village Fl.

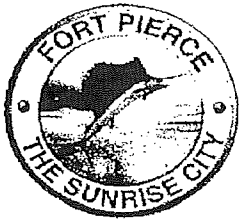
Have you ever been convicted of a crime: [] Yes [X] No
If yes, what is the nature of the crime(s) you were convicted of:

Date: 2-20-14

Signature: Wesley Taylor

Referred By:

Please check: Member [] Alternate []



CITY OF FORT PIERCE

100 North U.S. Highway 1
Fort Pierce, FL 34954

APPLICATION FOR APPOINTMENT / RE-APPOINTMENT

SERVICE APPEALS BOARD

Name: Charlene Neuman Telephone: 772 461 6493

Address: 5710 Palmetto Drive Fort Pierce FL

Email: charneu@bellsouth.net Zip Code: 34982

Occupation: Bookkeeper Citizen of the U.S.A.: Yes No

Do you own a business that operates within the City of Fort Pierce? Yes No

If yes, list the address and nature of said business: _____

Do you now or in the future plan to do business with the City of Fort Pierce? Yes If yes, in what capacity? As a Temp. Employee at Sunrise Theatre

Are you employed by a business that is located within the City of Fort Pierce? _____
If yes, state the business and location: _____

Do you have special training or knowledge in the area of?

Architecture: _____ Engineering: _____ Real Estate Brokering: _____
Contracting: _____ Land Development: _____ Other area: _____

Describe your education, background, training and knowledge in the above areas: Associate Degree in Accounting & Business management, 20 years with the City of Fort Pierce (Finance Dept)

Have you ever been convicted of a crime: Yes No
If yes, what is the nature of the crime(s) you were convicted of: _____

Date: 2-14-14

Signature: Charlene Neuman

Referred By: _____

Please check: Member Alternate



CITY OF FORT PIERCE

100 North U.S. Highway 1
Fort Pierce, FL 34954

APPLICATION FOR APPOINTMENT / RE-APPOINTMENT

SERVICE APPEALS BOARD

Name: Pearl Matthews Davis Telephone: (772) 240-2328

Address: 2006 Avenue Q, Fort Pierce, Florida

Email: davispt@aol.com Zip Code: 34950

Occupation: Corp. Credit Risk Review Citizen of the U.S.A.: Yes No

Do you own a business that operates within the City of Fort Pierce? Yes No

If yes, list the address and nature of said business: N/A

Do you now or in the future plan to do business with the City of Fort Pierce? NO If yes, in what capacity?

Are you employed by a business that is located within the City of Fort Pierce? YES

If yes, state the business and location: Seacoast National Bank

Do you have special training or knowledge in the area of?

Architecture: Contracting: [checked]

Engineering: Land Development: [checked]

Real Estate Brokering: [checked] Other area: Effective Negotiating

Describe your education, background, training and knowledge in the above areas: Corporate Credit Risk Review Manager, SVP @ Seacoast National Regional Dir., Office of Field Receivership/Conservatorship Asset Mgmt FDIC/RTC

Have you ever been convicted of a crime: Yes No

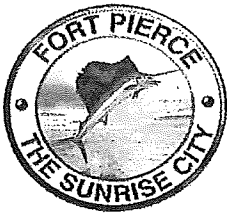
If yes, what is the nature of the crime(s) you were convicted of: N/A

Date: 2/20/14

Signature: Pearl M. Davis

Referred By: Lois Leath

Please check: Member [checked] Alternate [checked]



CITY OF FORT PIERCE

100 North U.S. Highway 1
Fort Pierce, FL 34954

APPLICATION FOR APPOINTMENT / RE-APPOINTMENT

CIVIL SERVICE APPEALS BOARD

Name: Jewel Armstrong Player Telephone: Cell: 301-751-5189; Home: 772-409-4955

Address: 4113 Silverstone Drive

Fort Pierce, FL Zip Code: 34947

Occupation: Retired Public Servant (US Federal Govt.) Citizen of the U.S.A.: Yes No

Do you own a business that operates within the City of Fort Pierce? Yes No

If yes, list the address and nature of said business: N/A

Do you now or in the future plan to do business with the City of Fort Pierce? No If yes, in what capacity? _____

Are you employed by a business that is located within the City of Fort Pierce? No

If yes, state the business and location: _____

Do you have special training or knowledge in the area of:

Architecture: _____ Engineering: _____ Real Estate Brokering: _____
Contracting: Yes Land Development: _____ Other area: Management & Supervision

Describe your education, background, training and knowledge in the above areas: MS in Lib. Sci., MA in Edu Admn., Grad Cert in Info Resource Mgt. Served as Contract Officer's Technical Rep; Completed technical reviews, wrote Statement of Works. Successfully worked with union reps. Served as third party Management reviewer / reply officer for employee personnel actions; 20 yrs of management & supervision experience; mentor / coach

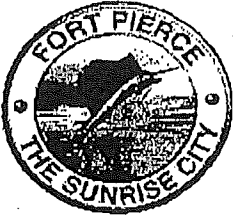
Have you ever been convicted of a crime: Yes No
If yes, what is the nature of the crime(s) you were convicted of: _____

Date: 5 April 2013

Signature: Jewel Armstrong Player

Referred By: _____

Please check: Member Alternate



CITY OF FORT PIERCE

100 North U.S. Highway 1
Fort Pierce, FL 34954

APPLICATION FOR APPOINTMENT / RE-APPOINTMENT

SERVICE APPEALS BOARD

Name: J. W. Gaines Telephone: 772-461-6120

Address: 600 Citrus Avenue, Suite 200, Fort Pierce, FL

Email: jgaines@btef-cpas.com Zip Code: 34950

Occupation: CPA Citizen of the U.S.A.: Yes No

Do you own a business that operates within the City of Fort Pierce? Yes No

If yes, list the address and nature of said business: 600 Citrus Ave, Suite 200, Certified Public Accountant Firm

Do you now or in the future plan to do business with the City of Fort Pierce? Insure If yes, in what capacity? Independent Auditor

Are you employed by a business that is located within the City of Fort Pierce? Yes
If yes, state the business and location: See above

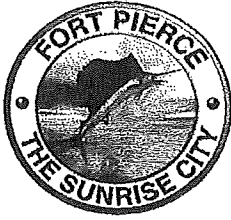
Do you have special training or knowledge in the area of?
Architecture: _____ Engineering: _____ Real Estate Brokering: _____
Contracting: _____ Land Development: _____ Other area: Accounting

Describe your education, background, training and knowledge in the above areas: BBA, passed CPA exam in in 1978, have owned a CPA firm in Ft. Pierce since 1979

Have you ever been convicted of a crime: Yes No
If yes, what is the nature of the crime(s) you were convicted of: _____

Date: 2/7/14 Signature: [Handwritten Signature]

Referred By: _____ Please check: Member Alternate _____



CITY OF FORT PIERCE

100 North U.S. Highway 1
Fort Pierce, FL 34954

APPLICATION FOR APPOINTMENT / RE-APPOINTMENT

SERVICE APPEALS BOARD

Name: Bertha L. Sullivan Telephone: (772) 464-8351

Address: P.O. Box 481

Email: sullivan1337@bellsouth.net Zip Code: 34954

Occupation: Retired School Administrator Citizen of the U.S.A.: Yes No

Do you own a business that operates within the City of Fort Pierce? Yes No

If yes, list the address and nature of said business: _____

Do you now or in the future plan to do business with the City of Fort Pierce? No If yes, in what capacity? _____

Are you employed by a business that is located within the City of Fort Pierce? No
If yes, state the business and location: _____

Do you have special training or knowledge in the area of?

Architecture: _____ Engineering: _____ Real Estate Brokering: _____
Contracting: _____ Land Development: _____ Other area: Educator

Describe your education, background, training and knowledge in the above areas: I have been in the SLC School system for 35 years. I have progress as a teacher, Primary Education Specialist, Parent Educator, an assistant principal, ending my career as an elementary school principal. I hold a B.S., M.S. and Ed. Specialist degree.

Have you ever been convicted of a crime: Yes No
If yes, what is the nature of the crime(s) you were convicted of: _____

Date: 2/24/2014

Signature: Bertha L. Sullivan

Referred By: _____

Please check: Member Alternate

City Commission Regular Meeting

Agenda Item # 12. e.

Meeting Date: 04/07/2014

Re: Submittal of Applications for Appointment and/or Reappointment to the Sunrise Theatre Advisory Board

Submitted For: John Wilkes, Executive Director, Sunrise Theater

SUBJECT:

Submittal of Applications for Appointment and/or Reappointment to the Sunrise Theatre Advisory Board

SUMMARY:

Reappointment of Steve Patterson and Gary Roberts to the Sunrise Theatre Advisory Board.

RECOMMENDATION:

Accept reappointments.

ALTERNATIVES:

n/a

RESPONSIBLE STAFF:

John Wilkes, Executive Director, Sunrise Theatre

COORDINATED WITH:

Anne Satterlee, Public Relations Director, Sunrise Theatre

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Steve Patterson

Gary Roberts

Sunrise Theatre Advisory Committee Attendance Record



CITY OF FORT PIERCE

100 NORTH U.S. #1
FORT PIERCE, FLORIDA 34950

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

SUNRISE THEATRE ADV. Board

Name: STEVEN PATTERSON Phone: 772-828-0726

Address: 119 INDIAN HILLS DR.
FT. PIERCE FL 34982 Zip Code: _____

Occupation: REALTOR Are you a citizen of the United States? YES

Do you own a business that operates within the City of Fort Pierce? IN THE PAST
If yes, list the address, and nature of said business: _____

Do you now or in the future plan to do business with the City of Fort Pierce? YES If yes,
in what capacity? REAL ESTATE

Are you employed by a business that is located within the City of Fort Pierce?
If yes, state the business and location: YES BUT HAVE HAD TO TAKE A LEAVE OF ABSENCE WILL RETURN SOON.

Do you have special training or knowledge in the area of:
Architecture _____ Engineering _____ Real Estate Brokering
Contracting _____ Land Development Other areas: JOURNALISM

Describe your education, background, training and knowledge in the above areas.
REALTOR & REAL ESTATE BUSINESS OWNER HAD ASSISTED AS ADVISOR TO DEVELOPMENT OF REAL ESTATE - WRITE A COLUMN SEMI REGULARLY

Have you ever been convicted of a crime? Yes No _____ If yes, what is the nature of the crime(s) you were convicted of: DWI

Date: 3/11/2014 Signature: Steven R. Patterson

Referred by: John Wilkes

I LOVE THE THEATRE AND FEEL LIKE I DO MY PART ON THE BOARD.



CITY OF FORT PIERCE

100 NORTH U.S. #1
FORT PIERCE, FLORIDA 34950

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

_____ Board

Name: GARY ROBERTS

Phone: 772 460 1539

Address: 437 ROUSE RD

FT PIERCE, FLA

Zip Code: 34946

Occupation: VINTNER Are you a citizen of the United States? Yes

Do you own a business that operates within the City of Fort Pierce? _____

If yes, list the address, and nature of said business: Gary Roberts Nursery & landscape & Endless Summer Vineyard & Winery

Do you now or in the future plan to do business with the City of Fort Pierce? _____ If yes, in what capacity? possibly with landscaping - Not sure.

Are you employed by a business that is located within the City of Fort Pierce? No
If yes, state the business and location: _____

Do you have special training or knowledge in the area of:
Architecture _____ Engineering _____ Real Estate Brokering _____
Contracting _____ Land Development _____ Other areas: _____

Describe your education, background, training and knowledge in the above areas:

Have you ever been convicted of a crime? Yes _____ No If yes, what is the nature of the crime(s) you were convicted of: _____

Date: 3/6/14

Signature: [Handwritten Signature]

Referred by: _____



ST Advisory Board Attendance

Sharon Engle

to:

jrobinson

03/31/2014 12:53 PM

Hide Details

From: "Sharon Engle" <sengle@sunrisetheatre.com>

To: <jrobinson@city-ftpierce.com> ,

1 Attachment



STAB Reappointment Backup Attendance Records.pdf

Hi Jennifer,

Per your request, attached are attendance records for the Sunrise Theatre Advisory board dating back to June 15, 2010 – present, to be included as backup material for the reappointment of two current advisory board members. The two members being, Steven Patterson and Gary Roberts.

Out of the 15 meetings held during that time-frame, Gary Roberts was in attendance for 8 of the meetings and was excused 7 times. Steven Patterson was present 10 times, excused 4 times & unexcused 1 time. It should be noted that many meetings had to be rescheduled due to lack of quorum, which has been an ongoing issue with the Advisory Board. If you have any questions or need anything further please let me know.

Thank you,

Sharon

Sharon Engle

Assistant to the Executive Director

Sunrise Theatre & Black Box Special Events

117 South 2nd Street

Fort Pierce, FL 34950

P: 772.461.4884 ext. 307

F: 772.461.8373

www.SunriseTheatre.com

June 15, 2010

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | ✓ | | |
| Jay Spicer | ✓ | | |
| Francenia Mimms | | ✓ | |
| Doug Davis | ✓ | | |
| Peggy Brown Harris | | ✓ | |
| Gary Roberts | ✓ | | |
| Ali Koblegard | ✓ | | |
| Steve Patterson | ✓ | | |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | ✓ | | |
| Bret McCain | | | ✓ |
| Corey Toussaint | | | ✓ |
| Kevin Perry | | ✓ | |
| Michael Horowitz | | ✓ | |
| Sally Richeson (ST Foundation President) | ✓ | | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

September 14, 2010

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | ✓ | | |
| Jay Spicer | ✓ | | |
| Francenia Mimms | ✓ | | |
| Doug Davis | ✓ | | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | ✓ | ✓ | |
| Ali Koblegard | ✓ | | |
| Steve Patterson | ✓ | | |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | | ✓ | |
| Bret McCain | | | ✓ |
| Corey Toussaint | | | ✓ |
| Kevin Perry | | ✓ | |
| Michael Horowitz | ✓ | | |
| Sally Richeson (ST Foundation President) | ✓ | | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

January 25, 2011

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | | | ✓ |
| Jay Spicer | ✓ | | |
| Francenia Mimms | ✓ | | |
| Doug Davis | ✓ | | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | | ✓ | |
| Ali Koblegard | ✓ | | |
| Steve Patterson | | ✓ | |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | ✓ | | |
| Bret McCain | ✓ | | |
| Corey Toussaint | ✓ | | |
| Kevin Perry | | ✓ | |
| Michael Horowitz | | ✓ | |
| Sally Richeson (ST Foundation President) | | ✓ | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

March 8, 2011

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | | | ✓ |
| Jay Spicer | | ✓ | |
| Francenia Mimms | ✓ | | |
| Doug Davis | | ✓ | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | ✓ | | |
| Ali Koblegard | | ✓ | |
| Steve Patterson | ✓ | | |
| Rebecca Shearer | | ✓ | |
| Wes Taylor | | ✓ | |
| Bret McCain | | ✓ | |
| Corey Toussaint | | ✓ | |
| Kevin Perry | | ✓ | |
| Michael Horowitz | | ✓ | |
| Sally Richeson (ST Foundation President) | ✓ | | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

No Quorum

May 10, 2011

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | ✓ | | |
| Commissioner Tom Perona | | | |
| Jay Spicer | ✓ | | |
| | | | |
| Francenia Mimms | | ✓ | |
| | | | |
| Doug Davis | ✓ | | |
| | | | |
| Peggy Brown Harris | ✓ | | |
| | | | |
| Gary Roberts | ✓ | | |
| | | | |
| Ali Koblegard | ✓ | | |
| | | | |
| Steve Patterson | ✓ | | |
| | | | |
| Rebecca Shearer | | ✓ | |
| | | | |
| Wes Taylor | | ✓ | |
| | | | |
| Bret McCain | ✓ | | |
| | | | |
| Corey Toussaint | ✓ | | |
| | | | |
| Kevin Perry | | | |
| | | | |
| Michael Horowitz | | ✓ | |
| | | | |
| Sally Richeson (ST Foundation President) | | ✓ | |
| | | | |
| John Wilkes (ST Executive Director) | ✓ | | |
| | | | |
| Sharon Engle (ST Staff) | ✓ | | |
| | | | |

July 12, 2011

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | ✓ | | |
| Jay Spicer | | ✓ | |
| Francenia Mimms | ✓ | | |
| Doug Davis | | ✓ | |
| Peggy Brown Harris | | ✓ | |
| Gary Roberts | | ✓ | |
| Ali Koblegard | ✓ | | |
| Steve Patterson | ✓ | | |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | ✓ | | |
| Bret McCain | ✓ | | |
| Corey Toussaint | ✓ | | |
| Kevin Perry | | | |
| Michael Horowitz | | ✓ | |
| Sally Richeson (ST Foundation President) | | ✓ | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

October 11, 2011

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | | ✓ | |
| Commissioner Tom Perona | | ✓ | |
| Jay Spicer | ✓ | | |
| Francenia Mimms | ✓ | | |
| Doug Davis | | ✓ | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | ✓ | | |
| Ali Koblegard | ✓ | | |
| Steve Patterson | | ✓ | |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | ✓ | | |
| Bret McCain | ✓ | | |
| Corey Toussaint - Term Ended | | | |
| Kevin Perry - Resigned | | | |
| Michael Horowitz - Resigned | | | |
| Sally Richeson (ST Foundation President) | ✓ | | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

November 8, 2011

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | | ✓ | |
| Commissioner Tom Perona | ✓ | | |
| Jay Spicer | ✓ | | |
| Francenia Mimms | | ✓ | |
| Doug Davis | ✓ | | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | | ✓ | |
| Ali Koblegard | | ✓ | |
| Steve Patterson | | ✓ | |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | ✓ | | |
| Bret McCain | ✓ | | |
| Sally Richeson (ST Foundation President) | | ✓ | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |
| | | | |
| | | | |
| | | | |
| | | | |

January 11, 2012

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | ✓ | | |
| Commissioner Tom Perona | ✓ | | |
| Jay Spicer | ✓ | | |
| Francenia Mimms | ✓ | | |
| Doug Davis | ✓ | | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | | ✓ | |
| Ali Koblegard | | ✓ | |
| Steve Patterson | ✓ | | |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | ✓ | | |
| Bret McCain | ✓ | | |
| Gerard Perry | | ✓ | |
| David Washington | ✓ | | |
| Patrick Toole | ✓ | | |
| Sally Richeson (ST Foundation President) | ✓ | | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

June 12, 2012

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | | ✓ | |
| Commissioner Tom Perona | ✓ | | |
| Jay Spicer | ✓ | | |
| Francenia Mimms | ✓ | | |
| Doug Davis | ✓ | | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | ✓ | | |
| Ali Koblegard | | ✓ | |
| Steve Patterson | ✓ | | |
| Rebecca Shearer | | ✓ | |
| Wes Taylor | ✓ | | |
| David Washington | | ✓ | |
| Patrick Toole | | ✓ | |
| Terry Shafer (ST Foundation President) | ✓ | | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

December 12, 2012

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | | ✓ | |
| Commissioner Tom Perona | ✓ | | |
| Jay Spicer | ✓ | | |
| Francenia Mimms | ✓ | | |
| Doug Davis | ✓ | | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | ✓ | | |
| Ali Koblegard | | ✓ | |
| Steve Patterson | | ✓ | |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | ✓ | | |
| David Washington | ✓ | | |
| Patrick Toole | | ✓ | |
| Terry Shafer (ST Foundation President) | | ✓ | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

February 12, 2013

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | ✓ | | |
| Commissioner Tom Perona | ✓ | | |
| Jay Spicer | ✓ | | |
| Francenia Mimms | ✓ | | |
| Doug Davis | ✓ | | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | ✓ | | |
| Ali Koblegard | | | ✓ |
| Steve Patterson | ✓ | | |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | ✓ | | |
| David Washington | ✓ | | |
| Patrick Toole | | | ✓ |
| Terry Shafer (ST Foundation President) | ✓ | | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

April 9, 2013

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|----------------|------------------|
| Commissioner Reggie Sessions | | | ✓ |
| Commissioner Tom Perona | ✓ | | |
| Jay Spicer | ✓ | | |
| Francenia Mimms | ✓ | | |
| Doug Davis | ✓ | | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | | ✓ | |
| Ali Koblegard | | | ✓ |
| Steve Patterson | ✓ | | |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | ✓ | | |
| David Washington | ✓ | | |
| Patrick Toole | | | ✓ |
| Terry Shafer (ST Foundation President) | | | ✓ |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

September 10, 2013

Sunrise Theatre Advisory Board Attendance

Present

Excused

Unexcused

| | | | |
|--|---|--|---|
| Commissioner Reggie Sessions | | | ✓ |
| Commissioner Tom Perona | ✓ | | |
| Jay Spicer | ✓ | | |
| Francenia Mimms | ✓ | | |
| Doug Davis | ✓ | | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | ✓ | | |
| Ali Koblegard | | | ✓ |
| Steve Patterson | | | ✓ |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | ✓ | | |
| David Washington | | | ✓ |
| Patrick Toole | | | ✓ |
| Terry Shafer (ST Foundation President) | ✓ | | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

Sunrise Theatre Advisory Board Attendance

| | <u>Present</u> | <u>Excused</u> | <u>Unexcused</u> |
|--|----------------|-----------------|------------------|
| Commissioner Reggie Sessions | ✓ | | |
| Commissioner Tom Perona <i>Becht</i> | | XXXX | |
| Jay Spicer | ✓ | | |
| Francenia Mimms | | ✓ | |
| Doug Davis | ✓ | | |
| Peggy Brown Harris | ✓ | | |
| Gary Roberts | | ✓ | |
| Ali Koblegard | | XXXX | ✓ |
| Steve Patterson | ✓ | | |
| Rebecca Shearer | ✓ | | |
| Wes Taylor | | XXXX | ✓ |
| David Washington | ✓ | | |
| Patrick Toole | | XXXX | ✓ |
| Terry Shafer (ST Foundation President) | | ✓ | |
| John Wilkes (ST Executive Director) | ✓ | | |
| Sharon Engle (ST Staff) | ✓ | | |

February 11, 2014

City Commission Regular Meeting

Agenda Item # 13. a.

Meeting Date: 04/07/2014

Re: Department Activity Report

Submitted For: Robert Bradshaw, City Manager

SUBJECT:

Department Activity Report


Attachments

City Manager's Activity Report



Interoffice Memorandum

FROM THE OFFICE OF THE
CITY MANAGER

TO: The Honorable Mayor and Members of the City Commission
FROM: Robert J. Bradshaw, City Manager 
RE: Department Activity Report
DATE: March 28, 2014

The information that follows is intended to keep the Commission abreast of the on-going activities, issues, programs and services within the City.

City Manager's Office

City Manager

- The City Manager held a Conference Agenda meeting on March 10, 2014.
- The City Manager and Deputy City Manager attended a Retirement Board Workshop on March 10, 2014.
- The Marketing Specialist attended the Fort Pierce Area Council meeting on March 10, 2014.
- The Deputy City Manager attended a meeting scheduled by the City Attorney regarding the Coral Square loan modification.
- The Deputy City Manager and Public Works Manager met with representatives from ConEdison to discuss the energy savings performance contract.
- The City Manager and Deputy City Manager met with a representative from Cypress Golf Management regarding maintenance and operations.
- The Deputy City Manager and Public Works Manager performed a site inspection of 505 North 7th Street.
- The Deputy City Manager met with the Program Analyst to discuss the forms for SHIP/CDBG mortgages and notes.
- The Deputy City Manager, Public Works Manager and DC Amandro met with Pastor Banks regarding night hoops and Percy Peek Gymnasium activity.
- The Deputy City Manager attended the CRA Advisory Committee meeting on March 12, 2014.
- The City Manager and Deputy City Manager met weekly with Mayor Hudson to discuss current City issues.
- The City Manager and Deputy City Manager met with Commissioner Alexander regarding current City issues.

City Manager's Office contd.

- The City Manager and Deputy City Manager met with Commissioner Perona regarding the agenda for the March 17, 2014 City Commission meeting.
- The Deputy City Manager attended a meeting regarding the document imaging system for the Police Dept.
- The Deputy City Manager held a Special FPRA meeting on March 17, 2014.
- The Deputy City Manager and Marketing Specialist attended the Lincoln Park Improvement Project Community Meeting on March 18, 2014.
- The City Manager attended the FPUA Board meeting on March 18, 2014.
- The Deputy City Manager attended a meeting regarding the potential resolution of a case.
- The Marketing Specialist attended the Treasure Coast League of Cities Membership Luncheon on March 19, 2014.
- The Deputy City Manager met with the Program Analyst to discuss the FPRA annual report.
- The members of the Economic Development Team, which now includes the Marketing Specialist, met with the Purchasing Manager to discuss the redevelopment of the King Plant site.
- The Deputy City Manager and Marina Manager met with Treasure Coast Boat Rentals to discuss their lease.
- The Marketing Specialist attended the St. Lucie County Chamber of Commerce Tourism Committee meeting on March 20, 2014.
- The Marketing Specialist met with Comm. Mowery and EDC Director Peter Tesch regarding potential economic development.
- The Deputy City Manager met with Chief Baldwin, DC Amandro and the Public Works Manager to discuss the utilization of Percy Peek Gymnasium.
- The Marketing Specialist attended Coffee with the Mayor on March 21, 2014.
- The City Manager and Deputy City Manager attended the TCRPC meeting on March 21, 2014.
- The City Manager, Deputy City Manager and Planning Manager met with Commissioner Becht to discuss annexation issues.
- The City Manager, Deputy City Manager and Grants Administrator met with representatives of United For Animals to discuss a potential donation.

City Clerk's Office

- Gave assistance and answered questions to the walk-in public on various aspects of Business Tax Receipts which included but not limited to:
New Applications: 26 Renewals: 0 Transfers: 2
- Gave assistance and answered questions to the walk-in contractors on various aspects of Contractor's Licensing which included but not limited to:
New Applications: 30 Renewals: 9
- Gave assistance and answered questions from the public who have contacted office by telephone.
- Gave assistance and answered questions received by the public via e-mail through the City's web-page.
- Assisted the public by researching and providing copies of various requested public records.
- Assisted the public, various departments, newspaper and other government entities by providing DVD copies of various commission meetings.
- Assisted public by processing and providing receipt for animal registrations payment.
- Assisted Code Compliance Manager by processing payment and providing receipt for check received from Holy Family Vet Hospital for animal registrations.
- On-going updating of contractors' records for current Liability Insurance, Workman Compensation Insurance, and State License information.
- Attended and recorded Board of Examiners of Contractors meeting on March 11, 2014.
- Input all necessary data into computer system to create account and issue competency card for contractors approved on March 11, 2014 by the Board of Examiners of Contractors.
- Prepared memo with attached attendance sheet to Finance Department for quarterly payment to the members of the Board of Examiners of Contractors.
- Preparation of legal advertisements, letters, resolutions, & ordinances for various departments for upcoming City Commission agenda items.
- Preparation of several Proclamations.
- Set up recording equipment 2nd floor conference room to record City Manager's Conference Agenda meeting on March 10, 2014.
- Attended, recorded and transcribed minutes of the City Manager's Conference Agenda meeting held on March 10, 2014.
- Attended, recorded and transcribed minutes of the Fort Pierce Redevelopment Meeting held on March 17, 2014.
- Attended, recorded and transcribed minutes of the Fort Pierce City Commission Meeting held on March 17, 2014.
- License/Permit Clerks contacting businesses and also working with Code Enforcement on Business Tax Receipts not renewed by September 30, 2013.

City Clerk's Office contd.

- Revenue Recovery working with Code Enforcement personnel on new businesses within the city limits that have not applied for a Business Tax Receipt.
- Licensing/Permit Clerk working with Building Department Permit Specialist to contact business tax applicants to set up appointments for building inspections and other issues associated with a business tax application.
- Daily balancing process of cash receipts and submittal to Finance Department for bank deposit.
- On-going implementation of computerization of annexation records.
- On-going implementation of scanning City Commission Agenda Packets onto DVD's.
- On-going implementation of scanning City Commission Meeting minutes, ordinances, resolutions, and the Fort Pierce Redevelopment Meeting minutes into the Optiview system.
- Assisting MIS Department in correcting and adding unit numbers to existing address data base.
- Preparation and delivering to St Lucie County Courthouse recording division various paperwork to be recorded.
- Assisting Finance Department by signing and affixing the City Seal to necessary paperwork associated with release of liens.
- Assisting Planning Department personnel answering questions pertaining to business tax applications.
- Assisted Planning Department personnel by researching and providing copies of various ordinances, rezoning, conditional uses and annexations.
- Assisted Planning Department personnel by researching and providing the cost for legal advertising of various projects they are processing.
- Assisted City Attorney Office by doing research on various city issues.
- License Permit Specialist/Deputy City Clerk working on an on-going record retention projects.
- On-going implementation of updating various forms and having them accessible through the City of Fort Pierce website.
- License/Permit Clerk working on preparation of ordinance to increase business tax.
- License Permit Specialist/Deputy City Clerk prepared all necessary paperwork for title and registration for Police Department SWAT team tactical vehicle.
- License/Permit Clerk Joyce Kobbe attended the chapter meeting of the Florida Association of Business Tax Officials (FABTO) held on March 10, 2014 in Port St. Lucie.
- License Permit Specialist/Deputy City Clerk assisted Code Enforcement/Animal Control Manager by setting up recording equipment in the Code Enforcement/Animal Control Conference Room on March 26, 2014.

Administrative Services Department

- Procurement –
 1. Opened Bid No. 2014-014 ~ Elevator Maintenance March 20, 2014
 2. Conducted informal training with FPRA Staff on “How to request Formal Solicitations” .
 3. Processed purchase orders.
 4. Processing and/or completion of awards to vendors/contractors approved by Commission.
 5. Meetings:
 - a) Purchasing Manager chaired a Evaluation Committee meeting for
 - b) RFQ No. 2014-010~ King Power Plant Redevelopment.
 - c) Purchasing Manager chaired a Mandatory Pre-Bid Meeting for 31 St Street Sidewalk Improvement Bid No. 2014-013.
 - d) Director of Administrative Services along with the H.R Manager attended a workshop on Advancements in Human Resources Management held at Indian River College.
 - e) Director of Administrative Services held a Leadership meeting with the Manager of Public Works.
 - f) Director of Administrative Services attended a meeting with the Insurance Committee.

- Human Resources –
 1. Coordinated Pre-employment physicals and background checks.
 2. Conducted New Employee Orientations
 3. Completed several Public Records requests.
 4. Advertised Promotional/Employment Opportunities.
 5. Created several Personnel Action forms for employees.
 6. Distributed monthly Reports to each department such as Accrual Register, Time Sheets and payroll register to Police Department.
 7. Processed Purchase Orders and requisitions.
 8. Verified payroll.
 9. Processed March and April, 2014 employee annual evaluations.
 10. Completed Verification of Employment/Loss of Income forms.
 11. Accepted and logged-in applications for the following positions: Crime Scene Investigation (73 applications), Victim Assistant (43), Part-Time Switchboard (12) and Administrative Assistant (52)
 12. Distributed applications to Police Department for closed position
 13. Picked-up and distributed mail to each box in the mail room
 14. Assisted in interviews for the Planning Department
 15. Cleaned and organized Front Desk in Human Resources
 16. Handled complaints and concerns
 17. Reviewed and approved Personnel Actions Forms.

- Risk Management –
 1. Collaborated with Florida Blue regarding upcoming Seminars/Workshops.
 2. Risk Management Committee Meeting April 9, 2014.
 3. Attended Harvest Food & Outreach Board Meeting.
 4. Accident and Injury Reviews.
 5. Audited, Closed, and Processed WC Claims.
 6. Processed Insurance Subrogation.
 7. Consulted with the City Carrier Regarding Liability Claims.
 8. Processed day to day Risk Management Duties.

Finance Department

- Met with Assistant City Attorney and Deputy City Manager regarding the potential resolution of a case.
- Prepared memorandum regarding Retirement Board's recommendation to the City Commission.
- Day to Day Operations

MIS Department

- Completed iPad training for each of the elected officials.
- iPad training will continue for several departments during the upcoming weeks.
- MIS Training room addition has been completed and employee training will now resume.
- GIS, Vantage Point and GEO Max installations and configurations are now complete and will move forward with on-site training.
- Website redesign Phase I has begun with delegated tasks given to the Website team
- QRepWeb installed and ironing out different problems with SunGard.
- Ongoing maintenance support for Marina Wi-Fi and camera system due influx of crime.
- Transferring data to new file servers for several departments.
- Upgrading out of lease copiers for several departments.
- Submitted work orders to State of Florida to enhance the router speed at City Hall and all remote sites. Completed the router installation for Indian Hills, River Walk Center, and Sunrise Theatre.
- Deploying AppAssure Imaging, Backup, and de-duplication Citywide.
- Working with Facility Maintenance crew on room upgrades.
- The installation of new equipment and relocation for Commission Broadcasting Room has now been completed.
- Working on new servers, racks and Intune software citywide.
- Working on citywide installation of AirWatch mobile device management (MDM) application.
- Exploring cloud based options for different applications.
- Processing new computer equipment for various departments.
- Working on a WorkOptiFlow pilot program with the Police Department.
- Upgrading Pervasive application for Marina Program.
- Working with vendor Group Business Software and the migration is seventy five percent complete to move Lotus Notes to the cloud.
- Working on Rights issue with NAS (on-going).
- Processing VOIP spread sheets for remaining remote sites (Marina and Sunrise Theatre) and gathering all information required including old numbers to be ported.
- Marina data room is currently being upgraded to handle a new data rack, servers. Transferring data to the new NAS device (on-going).
- Shelter Pro software roll out for Animal Control Officers to be loaded on City's application server.
- Major problems with email due to virus attacks to our system (on-going).
- Servers for Sunrise Theatre are being processed for distribution.
- Software integrations citywide (on-going).
- Working with AT&T and State of Florida on the fiber optic installation preparation for Public Works/Solid Waste (ongoing).
- Lotus Notes IQsuite e-mail spam, and archiving (ongoing).
- Updating MIS documentation and procedural policies (on-going).
- Received one hundred eleven (111) new work orders and completed one hundred eighty (180) work orders.

Planning Department

- Administrative/Meetings –
 1. All Staff members conducted 'Planner of the Day' duties on a rotating basis.
 2. Walk-ins/Call-ins.
- Comprehensive Planning, Long Range Planning –
 1. S 25th Street - Dollar General - ZAA/FLUMA - City Commission - Approved First Reading
 2. 4100 Glades Cut-Off Rd. - Diamond R Fertilizer - Zoning Map Amendment
 3. 1110 N 29th Street - Pine Creek Village Apartments - Transmittal
- Development Review –
 1. 1167 S US HWY 1 - Easement Abandonment - City Commission Approved
 2. 657 N Indian River Drive - Authorization of Similar Use/ Conditional Use - Planning Board Submittal
 3. 1998 N US Hwy 1 - Dunkin Donuts Variance
- GIS/Mapping –
 1. Web edits/uploads
 2. GIS coordination with MIS regarding GIS upgrade
 3. GIS new annexation agreements
 4. GIS old annexation issues
 5. GIS PASLC GIS review - subdivisions
- Historic Preservation –
 1. 901/915 S Indian River Drive - Old Fort Park - Lion's Club Donation & Improvements Plan - Historic Preservation Board Approved
 2. 211 Orange Ave, Exterior Alterations - Historic Preservation Board Approved
 3. 531 N 2nd Street, Additions - Historic Preservation Board Approved
 4. 716 Avenue D, Demolition - Historic Preservation Board Approved

Building Division

- 7131 Okeechobee Rd (West Star) – There has been no change in the status of this permit; we will continue to keep you informed of the progress of this project.
- 4400 S. US Hwy 1 (Acura Dealership) – This permit has been issued.
- Community Garden Pavilion – This permit has been issued.
- 6120 Glades Cut off (SLC Recycling Center) – Project revisions have been submitted.
- 4000 S US HWY 1 (Muslim Friends of Florida) – Building permit is ready to be issued on project.
- 300 S 33rd Street (Greater Friendship Missionary) – This permit has been issued.
- 2000 Hartman Road (DaVita Bright Dialysis) – Plans and permit application have been submitted on project.
- 1301 N Lawnwood Cir (Medical Offices of Drs. Roberts & Dawkins) – Commercial addition has been given a Certificate of Occupancy.

Code Enforcement Division

- Hearings –
 1. Code Enforcement Board
 - a) 6 violation hearings
 - 1 pulled by staff to be closed and recited
 - 2 complied prior to hearing
 - 3 found in violation
 - b) 4 penalty reduction requests
 - 3 recommended to be approved and forwarded to the City Commission
 - 1 recommended to deny request and forwarded to the City Commission
 2. Special Magistrate Blandino
 - a) Special Animal Control Hearing at the request of Mr. Lesane.
 - b) Found Mr. Lesane's dog to be considered dangerous and imposed related restrictions as required by both state statute and city ordinance.
- Code Enforcement –
 1. Received 37 complaints
 2. Issued 9 written warnings
 3. Issued 2 citations
 4. Initiated 124 new cases: 57 general violations and 67 lot clearing violations
 5. Conducted 507 follow-up inspections
 6. Closed 175 cases
- Animal Control –
 1. Responded to 193 dispatched calls
 2. Conducted 180 self-initiated calls
 3. Conducted 72 follow-up investigations
 4. Issued 4 citations and 4 written warnings
 5. Completed 5 bite reports
 6. Completed 2 cruelty reports
- Income & Expenses –
 1. 81 lien / title searches have been researched and completed.
 2. Income for code violations continues to exceed our expectations at 157% of our budgeted income. Lot clearing income is just shy of 250% of our budgeted income.
 3. Animal control violations and registration income are slightly higher than our projected budgets at 67% and 76% respectively.
 4. All lien & fine case folders are being manually reviewed and updated to address past due accounts (on-going).
- Miscellaneous –
 1. Worked with Libby Woodruff, Deputy City Manager Mimms and City Manager Bradshaw on the submittal of the Florida Animal Friend grant.
 2. Attended the monthly TRC Meeting.
 3. Participated in the Lincoln Park Improvement Project meeting held at the Avenue D substation.
 4. Attended the annual Chamber of Commerce Young Floridian scholarship luncheon followed by interviewing the students selected to compete for the scholarship.
 5. Animal Control volunteered at the Creature Safe Place annual Chinese auction held on Saturday, March 15th.
 6. Addressed an animal cruelty case that resulted in a dog's death. The matter is being investigated by the FPPD.
 7. Initiated Code Enforcement's annual spring lot clearing sweep and put all lots out for bid. The goal is to have these lots cleared before Easter.

Engineering Department

- Development Reviews – Intake of ten (10) Building Permit, Site Plan, or Certificate of Occupancy reviews.
- Stormwater Division – Report being made to FDEP quantifying amount of nutrient removal that was accomplished in the reporting period of February 2013 to February 2014. Report to include street sweeping records and volumes, catch basin cleaning volumes and removal from any stormwater project that was put into service.
- Traffic Control – City continues maintenance of all signals. Staff has started a refurbishment program on City maintained signals to rewiring the existing signal mast arms; the existing wiring is degrading rapidly due to heat and age causing significant issues with traffic signal reliability. Staff is creating a cost estimate
- City Marina Reconstruction - Phase I – Islands – Staff continues working with LMAC to resolve potential contractual issues and perceived monetary claims. LMAC has started parking lot and landscape restoration, LMAC hopes to complete the Pavement restoration by April 14, 2014. Staff has started to work on Phase I project closeout documentation.
- City Marina Reconstruction – Phase II – Docks – Construction contract is Commission approved, Purchase order and Notice to Proceed have been issued. Staff has scheduled Phase II construction kick off meeting for April 1, 2014. Estimated completion of Phase II is April 2015.
- S. 21st Street / Havana Avenue - Sidewalk Project – Project currently under design. Funding has been approved by FDOT for FY 2015. 90% plan review comments have been submitted to the consultant.
- 31st Street Sidewalks from Okeechobee Road to Tennessee Avenue – Bid opening scheduled for April 2, 2014.
- 5th Street Reconstruction from Orange Avenue to Boston Avenue – Construction underway. Final completion is scheduled for April 2014.
- Heathcote Stormwater Improvements – Pre-construction meeting scheduled for March 19, 2014. Gopher tortoise relocation currently underway. Traps need to be set and monitored until April 19th. Contractor scheduled to begin immediately following the trapping period. City and County coordinating connectivity of the proposed fitness trail with other existing and future amenities.
- Veterans Memorial Park – Phase I of the construction is being funded with SLC Grant CDBG Disaster funds. The low bidder's, McTeague Construction, contract is on the 4-15-14 SLC agenda for award. Proposed improvements for this phase include ADA upgrades such as bathroom expansion and a rear patio expansion. Phase II is currently in the design and permitting phase and is expected to go out to bid once we are in receipt of the FDEP 319 Grant.
- Melody Lane Fishing Pier – Under design.
- H.D. King Power Plant Clean-up – Cardno scheduled to begin remediation work on April 1, 2014. RLF funds agreement being submitted to the TCRPC board on March 28, 2014. Upon approval by the TCRPC the loan documents will be presented to the FPRA board at their quarterly meeting in April.
- Park Trail Subdivision – Drainage improvements are underway. Completion expected in May.

Public Works Department

- Energy Efficiency & Conservation – A kickoff meeting is scheduled for the first week of April. Look for frequent updates on this project.
- Single Stream Recycling – All of the Big Belly Compactors have been placed and are being utilized. Staff is anxiously awaiting the arrival of the recycling receptacles obtained through a grant. Once the containers arrive we will be able to provide recycling options at all City Parks.
- Phase II Window Retrofit Project – The River Walk windows and doors are complete and look fantastic. Installation is complete at the PWD compound and work has begun at the Police Department.

Police Department

- Percy Peak Gymnasium – Chief Baldwin met with Deputy City Manager Mimms and Public Works Director Mike Reals to discuss a youth basketball program proposed by Pastor Banks for the Percy Peak Gymnasium. We hope to advance this program as a partnership with PAL.
- Pastors' Meeting – Chief Baldwin met with Lincoln Park pastors on March 26, to discuss ongoing efforts to address violence in our community. The pastors are planning to hold additional events in the community with dates to be announced shortly.
- Retirement Board Meeting / Workshop – Chief Baldwin attended a retirement board meeting and workshop to discuss proposed changes to our employee retirement system. Chief Baldwin previously distributed a memorandum to the city manager and elected officials on this issue.
- Staffing – The department currently has 9 vacancies for police officers and 2 vacancies for civilian positions.

Urban Redevelopment Department

- Grants Administrator –
 1. Completed and Submitted the following grant applications:
 - a) Florida Inland Navigation District (FIND) - Complete construction of public fishing pier on Melody Lane
 - b) Children's Services Council of St. Lucie County - 3rd Annual City Marina At-Risk Youth Fishing Clinic
 - c) Florida Animal Friend - City's Pet Sterilization Voucher Program
 2. Meetings:
 - a) Gail Kavanagh - Florida Inland Navigation District
 - b) Joel Dramis - World Changers
 - c) Pat Alton - Hometown News
 - d) Walt Hines, Stacy Givens - Updates/Redesign for FPAT Website
 - e) Legal Department - Commercial Facade Grant Contracts and Florida Humanities Council Grant Contract (2 meetings)
 - f) Cynthia Roberts, Banner Works of Florida - Design of FPAT Banners
 - g) Susan Perry, City Mgmt - United For Animals (4 meetings)
 3. Other:
 - a) Received Grant Award from Dr. Pepper/Snapple/ Keep America Beautiful - 20 decorative recycle containers for City parks
 - b) Coordinated and Provided Oversight and all Meeting Materials for Lincoln Park Improvement Project Community Meeting
 - c) Provided oversight for the setup and creation of Commercial Facade Grantee folders, spreadsheets, appointments, reporting forms, etc.
 - d) Highwaymen Trail Project Phase II - researched and gathered info for website, trail signs; collaborated with sign manufacturer for small sign design, etc.
 - e) Created advertisements for FPAT and CWC meetings
 - f) Wrote and mailed letters to all CWC members to reschedule meetings to quarterly
 - g) Assisted Mr. Caesar Ricks and his daughter with contacting neighbor property owners to try to sell his old home site
 - h) Created FPAT overview PowerPoint presentation for April 7 City Commission meeting
 - i) Addressed issue with Land and Water Conservation Fund grant award for Jetty Park
- Program Analyst –
 1. FEMA
 - a) Marina Project
 - monitoring time extension
 - monitoring funding requests
 - preparing quarterly report
 - meetings with project manager Ed Seissiger regarding time extension and reimbursements
 2. Windows Expansion Project
 - a) Created and filed quarterly report
 - b) Preparing pay applications
 3. Enterprise Zone - Answering emails and phone calls pertaining to tax credits
 4. SHIP
 - a) Requested RFPs from Purchasing for two addresses
 - b) Meeting with Steve McCain, Nick Mimms, and Johnna Morris regarding deferred loans
 5. NSP - Communications with Housing Authority regarding Orange Avenue Property
 6. FPRA - Meeting with Deputy City Manager regarding annual report

Marina

- Oversee daily operations for City Marina and Fisherman's Wharf Marina.
- Working with seasonal dockage and events (see weekly email "Marina Happenings" newsletter for updates).
- Marina Island Construction estimated completion unknown.
- Consulting on Marina Project.
- Commission approved the rights to negotiate with Bellingham Marine for the new dock system at the City Marina. City Attorney and Engineering Dept. working out contract language.
- Attended fourth meeting of Waterway Steering committee for Martin and St. Lucie Counties.
- Dredging time frame of Moore's Creek is undetermined. Awaiting Engineering Dept. for date certain.
- Upgrading camera security system throughout marina facility.
- Working with St. Lucie County Tourism Department on the contract for 3 web cams. Contract in City Attorney's office.
- Working with City staff on installing a Seacoast National Bank ATM machine at City Marina. Contract in City Attorney's office. Awaiting Seacoast review of the contract.

Golf Course

- Met with Master Officer Paul Pearson to finalize plans to start the 1st Tee Program at Indian Hills on April 7, 2014.
- Met with Assistant Golf Professionals to finalize new golf rates for April, 2014.
- Met with Superintendent for update on on-going projects on the golf course.

River Walk Center

| | |
|-------------------|------------------|
| Park Permits | 2725.00 |
| Garden Center | 450.00 |
| Programming | 1053.58 |
| River Walk Center | 1184.83 |
| Maravilla Center | 343.68 |
| Special Events | 2585.00 |
| <hr/> Total | <hr/> \$8,342.09 |

Sunrise Theatre

- Over the past weeks, the following performances and activities were presented in the Sunrise & Black Box Theatre: Fort Pierce Jazz and Blues Society and the Sunrise Theatre co-presented Tuesday Night Jazz Jam evenings on March 4 and 11; Comedy Corner Improv on Saturday, February 8; On The Verge Concert Series presented Charlie Worsham March 7; GDG Productions presented Anna Nicotra on March 16 at 3pm; The Margo Rey Band performed three shows on March 15 - 16. Performances on the Sunrise Theatre main stage included Kyman Entertainment's Jay & The Americans and Brooklyn Bridge on March 7; Eddie Money on March 9; Celtic Fire on March 13; Three sold-out performances of Ron White on March 15 & 16.
- On March 14, John Wilkes met with the Florida American Planning Association. In addition to giving a tour he also talked about the restoration of the Sunrise and subsequent economic impact the Sunrise has had on downtown Fort Pierce.
- Assistance continues with future rental events and co-presentations with various community groups including, but not limited to: BlueBird Educational Productions Robert Navarro on March 21; Family Meals, Inc. McCartney Mania on March 28; Richard Nader's Doo Wop & Rock n Roll on March 29.
- Programming and contract negotiations for the upcoming 2014/15 are in full swing. Marketing and show sponsorship packages are being put together to solicit for the coming season's shows. Event commitments for the 2013/14 Season continue.
- Budget projections and adjustments for this and next year's fiscal year continue to be reviewed and implemented.